

# Washington State Register

JANUARY 4, 1989

OLYMPIA, WASHINGTON

ISSUE 89-01



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## CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 28B.19 or 34.04 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to noon and from 1 p.m. to 5 p.m. Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

## REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

## CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of January 1989 pursuant to RCW 19.52.020 is twelve point seven three percent (12.73%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1989 pursuant to RCW 63.14.130(1)(a) is thirteen and one-half percent (13.50%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is fourteen and one-half percent (14.50%) for the first calendar quarter of 1989.

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# WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to RCW 34.08.020. Subscription rate is \$161.70 per year, sales tax included, postpaid to points in the United States. Second-class postage paid at Olympia, Washington.

Changes of address notices, subscription orders, and undelivered copies should be sent to:

WASHINGTON STATE REGISTER  
Code Reviser's Office  
Legislative Building  
Olympia, WA 98504

The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

### 2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

### 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
  - (i) underlined material is new material;
  - (ii) deleted material is (~~(lined out and bracketed between double parentheses)~~);
- (b) Complete new sections are prefaced by the heading **NEW SECTION**;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading **REPEALER**.

### 4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

### 5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed, but not advanced, and a delayed effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 6. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in brackets [ ].

### 7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

## 1988 – 1989

### DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

<u>Issue No.</u>	<u>Closing Dates<sup>1</sup></u>			<u>Distribution Date</u>	<u>First Agency Action Date<sup>3</sup></u>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
<u>For Inclusion in—</u>	<u>File no later than—</u>			<u>Count 20 days from—</u>	<u>For hearing/adoption on or after</u>
88-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
88-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
88-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
88-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
88-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
88-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
88-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1989
89-01	Nov 23	Dec 7	Dec 21, 1988	Jan 4, 1989	Jan 24
89-02	Dec 7	Dec 21, 1988	Jan 4, 1989	Jan 18	Feb 7
89-03	Dec 21, 1988	Jan 4, 1989	Jan 18	Feb 1	Feb 21
89-04	Jan 4	Jan 18	Feb 1	Feb 15	Mar 7
89-05	Jan 18	Feb 1	Feb 15	Mar 1	Mar 21
89-06	Feb 1	Feb 15	Mar 1	Mar 15	Apr 4
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89-08	Mar 8	Mar 22	Apr 5	Apr 19	May 9
89-09	Mar 22	Apr 5	Apr 19	May 3	May 23
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89-13	May 24	Jun 7	Jun 21	Jul 5	Jul 25
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89-20	Sep 6	Sep 20	Oct 4	Oct 18	Nov 7
89-21	Sep 20	Oct 4	Oct 18	Nov 1	Nov 21
89-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
89-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
89-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1990

<sup>1</sup>All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared by the order typing service (OTS) of the code reviser's office; see WAC 1-12-220 or 1-13-240. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>"No proceeding may be held on any rule until twenty days have passed from the distribution date of the Register in which notice thereof was contained." RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

**WSR 89-01-001**  
**PROPOSED RULES**  
**BOARD OF PILOTAGE COMMISSIONERS**  
[Filed December 8, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning tariffs and pilotage rates for the Grays Harbor pilotage district, WAC 296-116-185;

that the agency will at 9:00 a.m., Thursday, February 9, 1989, in the Colman Dock, Pier 52, Seattle, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 88.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 1, 1989.

This notice is connected to and continues the matter in Notice No. WSR 88-22-071 filed with the code reviser's office on November 2, 1988.

Dated: December 8, 1988  
By: Marjorie T. Smitch  
Assistant Attorney General

**WSR 89-01-002**  
**PROPOSED RULES**  
**BOARD OF PILOTAGE COMMISSIONERS**  
[Filed December 8, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning pilotage rates for the Puget Sound pilotage district, WAC 296-116-300;

that the agency will at 9:00 a.m., Thursday, January 12, 1989, in the Colman Dock, Pier 52, Seattle, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 88.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 3, 1989.

This notice is connected to and continues the matter in Notice No. WSR 88-22-071 filed with the code reviser's office on November 2, 1988.

Dated: December 8, 1988  
By: Marjorie T. Smitch  
Assistant Attorney General

**WSR 89-01-003**  
**EMERGENCY RULES**  
**LIQUOR CONTROL BOARD**  
[Order 276, Resolution No. 285—Filed December 8, 1988]

Be it resolved by the Washington State Liquor Control Board, acting at the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA, that it does adopt the annexed rules relating to Packages—Classification, WAC 314-20-030.

We, the Washington State Liquor Control Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is a brewery is presently in the process of commencing licensed operation of a Class H restaurant and will, unless emergency action is taken, undergo undue hardship and incur unnecessary and increased costs and expenses for equipment and labor before adoption of this rule on a permanent basis can be accomplished, all to no benefit to the public health, welfare or safety.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 8, 1988.  
By L. H. Pedersen  
Chairman

**AMENDATORY SECTION** (Amending Order 201, Resolution No. 210, filed 11/4/86)

**WAC 314-20-030 PACKAGES—CLASSIFICATION.** (1) No manufacturer, wholesaler or importer shall sell beer for use in the state of Washington in any packages or containers differing in sizes and case quantities from the manufacturer's original packages.

(2) Net contents—Packaged beer. Net contents shall be stated in a clearly legible manner on the label in fluid ounces or as follows:

(a) If less than 1 pint, in fluid ounces, or fractions of a pint;

(b) If 1 pint, 1 quart, or 1 gallon, the net contents shall be so stated;

(c) If more than 1 pint, but less than 1 quart, the net contents shall be stated in fractions of a quart, or in pints and fluid ounces;

(d) If more than 1 quart, but less than 1 gallon, the net contents shall be stated in fractions of a gallon, or in quarts, pints, and fluid ounces;

(e) If more than 1 gallon, the net contents shall be stated in gallons and fractions thereof;

(f) The net contents need not be stated on any label if the net contents are displayed by having the same blown, branded, or burned in the container in letters or figures in such manner as to be plainly legible under ordinary circumstances and such statement is not obscured in any manner in whole or in part.

(3) Container size limitations—Barrels. Whole barrels (31 gallons), 1/2 barrels (15.5 gallons), 1/4 barrels (7.75 gallons), 1/6 barrels (5.16 gallons). Packaged beer—Maximum capacity for individual containers, 170 fluid ounces: PROVIDED, HOWEVER, That the board may, in its discretion, authorize the importation and sale for use in the state of Washington of beer in other container and/or barrel size packages which have been approved for marketing within the United States by the Bureau of Alcohol, Tobacco, and Firearms, United States Treasury Department: PROVIDED FURTHER, That the board may, in its discretion, authorize a brewery with Class H privileges to dispense beer directly from conditioning tanks/vessels to the Class H area provided the taxes have been paid prior to dispensing.

(4) Gift packages. A beer importer or beer wholesaler may prepare and sell "gift packages" consisting of containers of beer differing in case quantities from the manufacturer's original case capacities provided the tax has been paid on the previously purchased beer in accordance with RCW 66.24.290 and provided written approval by the board has been obtained.

#### WSR 89-01-004

#### ADOPTED RULES

#### LIQUOR CONTROL BOARD

[Order 271, Resolution No. 280—Filed December 8, 1988]

Be it resolved by the Washington State Liquor Control Board, acting at the Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to Agent's license required—Eligible employers defined—Certain classes limited—Bona fide entity defined—Prohibited practices, WAC 314-44-005.

This action is taken pursuant to Notice No. WSR 88-22-068 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 7, 1988.

By L. H. Pedersen  
Chairman

#### AMENDATORY SECTION (Amending Order 93, Resolution No. 102, filed 1/27/82)

WAC 314-44-005 AGENT'S LICENSE REQUIRED—ELIGIBLE EMPLOYERS DEFINED—CERTAIN CLASSES LIMITED—BONA FIDE ENTITY DEFINED—PROHIBITED PRACTICES. (1) No person shall canvass for, solicit, receive or take orders for the purchase or sale of any liquor, or act as the agent for the purchase or sale of liquor, nor contact any licensees of the board in goodwill activities, unless such person is holder of an agent's license as provided in RCW 66.24.310, and this regulation.

(2) An agent's license may be issued to the accredited representative of a person, firm, or corporation holding a certificate of approval issued pursuant to RCW 66.24-270 or 66.24.206, a beer wholesaler's license, a brewer's license, a beer importer's license, a domestic winery license, a wine importer's license, or a wine wholesaler's license within the state of Washington, or the accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor, or foreign produced beer or wine. A person, firm, or corporation so qualified, is herein defined to be an eligible employer. Such employer shall apply to the board for such an agent's license for his accredited representatives on application forms prescribed and furnished by the board.

(3) Every firm which applies for an agent's license under the provisions of this section shall furnish the board with satisfactory proof that such firm is in fact a bona fide business entity.

(4) Only the licensed agent of a distiller, manufacturer, importer, or distributor of spirituous liquor may contact retail licensees in goodwill activities when such contacts pertain to spirituous liquor products.

(5) No distiller, manufacturer, importer, wholesaler or distributor of liquor, or agent thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(6) No distiller, manufacturer, importer, wholesaler or distributor of liquor, or agent thereof, shall visit any state liquor store or agency ((~~except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board~~)) for the purpose of exerting influence on employees for sales promotion or to secure information regarding inventory or any other matter relating to sales. They may deliver, or have delivered, and assemble where required, consumer offers and display material that have been approved by the board or its designee. Violation of this section will result in a penalty against all company items, which in appropriate cases could mean a partial or total delisting of those items.

(7) No distiller, manufacturer, importer, wholesaler, or distributor of liquor, or agent thereof, shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(8) No distiller, manufacturer, importer, wholesaler, or distributor, or agent thereof, shall allow, pay or rebate, directly or indirectly, any cash or merchandise to any retail licensee to induce or promote the sale of liquor, including the payment of tips to such licensees or their employees and the purchasing of drinks "for the house." Such persons, firms and licensees must operate in conformity with WAC 314-12-140, RCW 66.28.010, 66.28.040, and other applicable laws and rules.

(9) Upon the infraction of any law or regulation by any distiller, manufacturer, importer, wholesaler, distributor, or agent, the board may, in addition to imposing other penalties as prescribed by law, remove such firm's products from the sales list of the board, and/or prohibit the sale of any brand or brands of beer or wine involved as provided in RCW 66.28.030.

(10) Upon the termination of the employment of a licensed agent, his employer shall immediately notify the board and with such notice return to the board the agent's license issued to such person.

**WSR 89-01-005  
ADOPTED RULES  
LIQUOR CONTROL BOARD**

[Order 272, Resolution No. 281—Filed December 8, 1988]

Be it resolved by the Washington State Liquor Control Board, acting at the Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to Packages—Classification, WAC 314-20-030.

This action is taken pursuant to Notice No. WSR 88-22-065 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 7, 1988.

By L. H. Pedersen  
Chairman

**AMENDATORY SECTION (Amending Order 201,  
Resolution No. 210, filed 11/4/86)**

**WAC 314-20-030      PACKAGES—CLASSIFICATION.** (1) No manufacturer, wholesaler or importer shall sell beer for use in the state of Washington in any packages or containers differing in sizes and case quantities from the manufacturer's original packages.

(2) Net contents—Packaged beer. Net contents shall be stated in a clearly legible manner on the label in fluid ounces or as follows:

(a) If less than 1 pint, in fluid ounces, or fractions of a pint;

(b) If 1 pint, 1 quart, or 1 gallon, the net contents shall be so stated;

(c) If more than 1 pint, but less than 1 quart, the net contents shall be stated in fractions of a quart, or in pints and fluid ounces;

(d) If more than 1 quart, but less than 1 gallon, the net contents shall be stated in fractions of a gallon, or in quarts, pints, and fluid ounces;

(e) If more than 1 gallon, the net contents shall be stated in gallons and fractions thereof;

(f) The net contents need not be stated on any label if the net contents are displayed by having the same blown, branded, or burned in the container in letters or figures in such manner as to be plainly legible under ordinary circumstances and such statement is not obscured in any manner in whole or in part.

(3) Container size limitations—Barrels. Whole barrels (31 gallons), 1/2 barrels (15.5 gallons), 1/4 barrels (7.75 gallons), 1/6 barrels (5.16 gallons). Packaged beer—Maximum capacity for individual containers, 170 fluid ounces: PROVIDED, HOWEVER, That the board may, in its discretion, authorize the importation and sale for use in the state of Washington of beer in other container and/or barrel size packages which have been approved for marketing within the United States by the Bureau of Alcohol, Tobacco, and Firearms, United States Treasury Department.

(4) The net contents of individual containers shall be stated on the outside of any multicontainer package where the individual container label or bottle size is not visible to the consumer at the point of purchase.

(5) Gift packages. A beer importer or beer wholesaler may prepare and sell "gift packages" consisting of containers of beer differing in case quantities from the manufacturer's original case capacities provided the tax has been paid on the previously purchased beer in accordance with RCW 66.24.290 and provided written approval by the board has been obtained.

**WSR 89-01-006  
NOTICE OF PUBLIC MEETINGS  
CONVENTION AND TRADE CENTER  
(Art Committee)  
[Memorandum—December 7, 1988]**

There will be a meeting of the Art Committee of the Washington State Convention and Trade Center on Wednesday, December 14 at 9:30 a.m. The location will be Room 601, Washington State Convention and Trade Center, 800 Convention Place, Seattle.

**WSR 89-01-007**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 88-181—Filed December 8, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington 98506, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the harvestable surplus of red sea urchin will have been taken, and further harvest would endanger the resource. There is inadequate time to follow the permanent rule adoption procedure.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 8, 1988.  
By Judith Merchant  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-52-07300F SEA URCHIN** Notwithstanding the provisions of WAC 220-52-073, effective 12:01 a.m. January 1, 1989, until further notice it shall be unlawful to take or possess red sea urchins taken for commercial purposes from Sea Urchin District I.

**WSR 89-01-008**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 88-180—Filed December 8, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is chinook salmon are available to be harvested in the Humptulips and Chehalis rivers. Coho salmon stocks on the Chehalis side of Grays Harbor are not returning sufficient fish to meet their escapement

goal. It is in the public interest to harvest the available chinook salmon and protect the depressed stocks of coho salmon. There is insufficient time to follow permanent rule adoption procedures.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 8, 1988.

By Judith Merchant  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-57-14000I CHEHALIS RIVER.** Notwithstanding the provisions of WAC 220-57-140:

(1) Effective immediately through January 31, 1989, Special Bag Limit of six salmon not more than two of which may be chum salmon. Chinook over 28 inches in length and coho over 20 inches in length must be released in those waters downstream from the Porter Bridge to the Fuller Bridge.

(2) Effective immediately through January 31, 1989, Bag Limit A except that all coho over 20 inches in length and all chinook greater than 28 inches in length must be released in those waters downstream from the Fuller Bridge to the U.P.R.R. Bridge in Aberdeen.

**NEW SECTION**

**WAC 220-57-23000E ELK RIVER.** Notwithstanding the provisions of WAC 220-57-230:

(1) Effective Immediately through January 31, 1989, Bag Limit A in those waters downstream from confluence of west and middle forks to Highway 105 Bridge, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

(2) Grays Harbor rules apply downstream from Highway 105 Bridge.

**NEW SECTION**

**WAC 220-57-28000I HOQUIAM RIVER (WEST AND EAST FORKS)** Notwithstanding the provisions of WAC 220-57-280:

(1) Effective immediately through January 31, 1989, Bag Limit A in those waters of the main Hoquiam River and West Fork downstream from the bridge on the Dekay Road, except that chinook salmon over 28 inches in length and coho salmon over 20 inches in length must be released.

(2) Effective immediately through January 31, 1989, Bag Limit A in those waters downstream from the abandoned flat car bridge below the mouth of Berryman Creek, except that all chinook salmon over 28 inches in

*length and all coho salmon over 20 inches in length must be released.*

#### NEW SECTION

**WAC 220-57-28500M HUMPTULIPS RIVER.** Notwithstanding the provisions of WAC 220-57-285:

(1) Effective immediately through January 31, 1989, Bag Limit C in those waters downstream confluence of east and west forks to the Highway 101 Bridge.

(2) Effective immediately through January 31, 1989, Bag Limit A in those waters downstream from Highway 101 Bridge to the mouth of Jessie Slough.

#### NEW SECTION

**WAC 220-57-3000F JOHNS RIVER.** Notwithstanding the provisions of WAC 220-57-300:

(1) Effective immediately through January 31, 1989, Bag Limit A in those waters downstream from old M&B Logging Camp Bridge at upper boundary of Johns River Habitat Management Area to Highway 105 Bridge, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

#### NEW SECTION

**WAC 220-57-52000I WISHKAH RIVER.** Notwithstanding the provisions of WAC 220-57-520:

(1) Effective immediately through January 31, 1989, Bag Limit A in those waters downstream from the mouth of the West Fork, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

#### NEW SECTION

**WAC 220-57-52500I WYNOOCHEE RIVER.** Notwithstanding the provisions of WAC 220-57-525:

(1) Effective immediately through January 31, 1989, Bag Limit A in those waters downstream from the mouth of Schaefer Creek, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

**WAC 220-57-14000H CHEHALIS RIVER.** (88-89)

**WAC 220-57-23000D ELK RIVER.** (88-89)

**WAC 220-57-28000H HOQUIAM RIVER.**

(WEST AND EAST FORKS) (88-89)

**WAC 220-57-28500L HUMPTULIPS RIVER.** (88-89)

**WAC 220-57-3000E JOHNS RIVER.** (88-89)

**WAC 220-57-52000H WISHKAH RIVER.** (88-

89)

**WAC 220-57-52500H WYNOOCHEE RIVER.**

(88-89)

#### **WSR 89-01-009**

#### **PROPOSED RULES**

#### **HOSPITAL COMMISSION**

[Filed December 9, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Hospital Commission intends to adopt, amend, or repeal rules concerning:

Amd WAC 261-40-150 Methodology and criteria for approval, modification, or disapproval of annual budget submittal and rates, rate schedules, other charges and changes therein.

Amd WAC 261-40-170 Negotiated rates;

that the agency will at 9:30 a.m., Thursday, January 26, 1989, in the Seattle Room, West Coast Sea-Tac Hotel, Seattle, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 70.39.180.

The specific statutes these rules are intended to implement are RCW 70.39.140, 70.39.150 and 70.39.160.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 16, 1989.

Dated: December 9, 1988

By: Maurice A. Click  
Executive Director

#### **STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Amending WAC 261-40-150 Methodology and criteria for approval, modification, or disapproval of annual budget submittal and rates, rate schedules, other charges and changes therein; and 261-40-170 Negotiated rates.

**Purpose of These Rule Changes:** To allow hospitals to increase their charges to recover the amount of discounts related to negotiated rates involving different levels of resource use by particular purchasers of hospital services.

**Statutory Authority:** RCW 70.39.180.

**Summary of Rule Changes and Statement of Reason Supporting the Proposed Action:** Thurston County Superior Court has ruled in Cause Number 87-2-01050-1, that existing rules which prohibit increases in charges to recover the amount of discounts related to negotiated rates involving different levels of resource use by particular purchasers of hospital services are invalid. An order implementing this decision will be entered on December 9, 1988. These rules will implement the decision of the court; and negotiated rate rules, and budget review methodology and criteria are each being amended. The changes are summarized below:

Hospitals will be allowed to increase their rates to cover discounts related to differing levels of resource use by individual purchasers in the form of deductions from revenue. In order to do so, hospitals will be required to submit documentation of the amount of cost differential between purchasers, and must receive prospective approval from the commission. Such differentials must be

related to certain hospital cost centers, as specified within the rule. WAC 261-40-170(4).

References to WAC 261-40-170(4) are included within the rules regarding the methodology and criteria for approval, modification, or disapproval of annual budget submittal and rates, rate schedules, other charges and changes therein to incorporate the requirements and conditions related to such deductions from revenue. WAC 261-40-150 (5)(f)(ii).

In calculating year-end conformance with the rates approved by the commission, deductions from revenue related to negotiated rates are to be considered fixed at the level approved by the commission in the approval of the budget and rates, rather than allowed at their actual level as would be the case with other allowable deductions from revenue. WAC 261-40-150 (6)(b).

**Agency Personnel Responsible for Drafting, Implementation and Enforcement of These Rules:** Maurice A. Click, Executive Director, and David B. Smith, Deputy Director, Washington State Hospital Commission, 206 Evergreen Plaza Building, 711 South Capitol Way, Mailstop FJ-21, Olympia, WA 98504, (206) 753-1990.

These rules are necessary as a result of a state court decision, but are not necessary as a result of federal law or a federal court decision.

**Small Business Economic Impact Statement:** These proposed amendments retain provisions for alternative systems of financial reporting and modifications of the uniform reporting system which provide specialized and reduced reporting requirements for smaller hospitals. The rules also provide for less rigorous budget review for those rural hospitals classified in Peer Group A. Documentation requirements included within these amendments are the minimum necessary for the commission to ensure that negotiated rates do not result in a cost shift to other purchasers of hospital services in the current or a subsequent period, as required by law, and therefore must be applied to all hospitals seeking increases in rates related to negotiated rate discounts, including small hospitals.

#### AMENDATORY SECTION (Amending Order 88-07, Resolution No. 88-07, filed 10/28/88)

**WAC 261-40-150 METHODOLOGY AND CRITERIA FOR APPROVAL, MODIFICATION, OR DISAPPROVAL OF ANNUAL BUDGET SUBMITTAL AND RATES, RATE SCHEDULES, OTHER CHARGES, AND CHANGES THEREIN.** The following methodology and criteria shall be utilized by the commission in reviewing and acting on annual budget submittals. The relative importance of each criterion, and the extent to which justification for variance from the methodology and criteria is accepted, is a matter of commission discretion:

(1) Whether the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein:

(a) Are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the hospital are reasonably related to the total services offered by that hospital;

(b) Are such that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital;

(c) Are such that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs; and

(d) Are such that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

(2) Whether the commission action will permit the hospital to render necessary, effective and efficient service in the public interest.

(3) Whether the commission action will assure access to necessary, effective, economically viable and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.

(a) Rural includes all areas of the state with the following exceptions:

(i) The entire counties of Snohomish (including Camano Island), King, Kitsap, Pierce, Thurston, Clark, and Spokane;

(ii) Areas within a twenty-mile radius of an urban area exceeding thirty thousand population; and

(iii) Those cities or city-clusters located in rural counties but which for all practical purposes are urban. These areas are Bellingham, Aberdeen-Hoquiam, Longview-Kelso, Wenatchee, Yakima, Sunnyside, Richland-Kennewick-Pasco, and Walla Walla.

(b) The commission may, at its discretion, determine that individual hospitals located in areas meeting the aforementioned criteria should not be considered rural for purposes of conducting comparative budget reviews between hospitals. In such cases, the affected hospitals will be compared against those hospitals classified as either Peer Group B or Peer Group D for comparative purposes.

(4) Whether the appropriate area-wide and state comprehensive health planning agencies have recommended approval, modification, or disapproval of the annual budget submittal, or the rates, rate schedules, other charges, or changes therein.

(5) Whether the proposed budget and the projected revenues and expenses would result in the rate structure most reasonable under the circumstances. The following shall be considered by the commission in making that determination:

(a) For purposes of conducting comparative budget review, the commission shall assign each hospital to a peer group, as follows:

(i) Peer Group A – those hospitals designated as rural in accordance with WAC 261-40-150 (3)(a);

(ii) Peer Group B – those hospitals not designated within Peer Groups A, C, or D;

(iii) Peer Group C – those hospitals with accredited graduate medical education programs, except those that are classified within Peer Group D; and

(iv) Peer Group D – those hospitals which the commission has determined exhibit unique characteristics that make comparative analysis inappropriate.

(b) The commission shall determine whether the hospital's requested utilization statistics are reasonably attainable, based upon:

(i) The adjusted case mix value units for each hospital which were used to develop the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue; and

(ii) Maintaining a reasonable relationship between the volumes of each hospital department with the adjusted case mix value units which were used to develop the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue.

(A) Deviations from the volume levels determined through these procedures will be taken into account in the computation of year-end conformance, as described in WAC 261-40-150(6).

(c) The commission shall utilize a principal screen to compare the hospital's requested net patient services revenue (total rate setting revenue less deductions from revenue) per adjusted case mix value unit to the hospital's baseline net patient services revenue per adjusted case mix value unit as calculated in item (i) below and applied by items (ii), (iii), and (iv) below:

(i) Each hospital's baseline net patient services revenue per adjusted case mix value unit shall be calculated as follows:

(A) Baseline adjusted case mix value units shall be equal to the current year approved level;

(B) Baseline net patient services revenue shall be determined as an allocated amount of the net patient services revenue component of the target dollar amount of total state-wide hospital revenue.

(ii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue does not exceed the revised baseline, the operating expense and capital allowance sections of the hospital's annual budget submittal will not be subject to further review provided that the resulting rates meet the criteria of subsections (5)(g), (6), and (7) of this section.

(iii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue exceeds the revised baseline,

further review of the components of operating expense and capital allowance will be conducted.

(iv) Peer Group A hospitals with requested net patient services revenue((s)) per adjusted case mix value unit which are at or below the 70th percentile for their peer group, and which are increasing from the current year approved level at a percentage change which is at or below the 70th percentile rate of change for the peer group, shall be exempted from the principal screen review and the review of operating expenses and capital allowance, so long as the budgeted adjusted case mix value units appear to be reasonably attainable.

(d) The commission shall determine whether the hospital's requested operating expenses are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the services are reasonably related to the total services offered by that hospital and are such that the hospital's costs do not exceed those that are necessary for a reasonably and prudently managed hospital, based upon:

(i) Adjusting the requested level of operating expenses to reflect the adjusted case mix value units as determined according to (5)(b) of this section, utilizing the variable cost factors described in subsection (6) of this section;

(ii) Applying national hospital market basket inflation forecasts to operating expenses by natural classification. National inflation forecasts will be modified to reflect regional or state-wide economic conditions, as appropriate; and

(iii) Such other information as the commission may determine is appropriate as a basis for deviating from the standard variable cost ratios specified in subsection (6) of this section or inflation forecasts. This information shall include but not be limited to:

(A) Revisions necessary to comply with the commission's Accounting and Reporting Manual for Hospitals pursuant to WAC 261-20-030;

(B) Reasonable operating expenses related to implementation or deletion of services or programs for which certificate of need approval has been obtained, if requested;

(C) Reasonable operating expenses related to expansion or contraction of hospital capacity for which certificate of need approval has been obtained, if required;

(D) Volume adjustments of a magnitude which render the standard variable cost factors described in subsection (6) of this section inappropriate; and

(E) Reasonable operating expenses related to malpractice tail liability expense accruals, if requested, under the following conditions:

(I) The expense will be recognized in the year-end conformance calculations at the lesser of the approved or funded level;

(II) This expense will be subject to the statutory requirement that expenses be necessary for prudently and reasonably managed hospitals, including any determinations by the commission that risk sharing among multiple hospitals may result in lower costs to the consumers and purchasers of hospital health care services;

(III) If requested and approved in rates, this expense must be placed into a fund, restricted by the commission and reviewed annually, with interest earnings accruing to that fund;

(IV) Malpractice claims which are not otherwise covered by malpractice insurance which are in excess of the malpractice tail liability restricted fund should be included in rates in the year in which an actual award, resulting from litigation or negotiation, is made to the claimant: PROVIDED, That only that portion of any such awards that exceeds the restricted funds held for this purpose will be included in commission approved total rate setting revenue;

(V) In the event that a hospital changes insurance carriers, does not obtain insurance in a subsequent year, is sold, or discontinues services as a hospital as defined in RCW 70.39.020(3), the premium for malpractice tail coverage insurance must be paid out of the restricted fund: PROVIDED, That such malpractice tail coverage insurance is not otherwise made available to the hospital as a condition of previous or existing malpractice insurance policies;

(VI) Annual requests for malpractice tail liability expense accrual funding must be documented by actuarial studies or reasonable estimates, subject to verification, of the total of such liabilities and documentation of the amount of such restricted funds, with the difference between the two amounts equalling the amount that the commission will consider including in rates for that budget period: PROVIDED, That if the commission determines that full funding of the malpractice liability restricted fund within any one budget period may result in unreasonable rates or excessive rates of increase in rates, the approval

of rates to achieve full funding of the restricted fund may be spread over additional years;

(VII) Once a hospital has received approval from the commission to increase patient rates to include the malpractice tail liability expense accrual, the hospital must provide an annual report to the commission from a licensed actuary or reasonable estimate, subject to verification, showing the total estimate of such liabilities as of the end of the budget year, and any excesses which may have been expensed and funded in previous years will be deducted from that year's approved total rate setting revenue;

(VIII) As a condition of approving the inclusion of malpractice tail liability expense accruals in total rate setting revenue, the commission will require that each hospital for which this expense is approved file financial statements which have been audited by an independent certified public accountant.

(F) Other consideration presented by the hospital or other concerned persons and determined to be appropriate by the commission, including the impact that the acceptance of operating expense increases above the baseline level would have on the commission's ability to achieve total state-wide revenue that are within the target dollar amount of total state-wide hospital revenue as adopted by the commission in accordance with RCW 70.39.150(6), and comparative analysis of the hospital's operating expenses with hospitals within the same peer group.

(e) The commission shall determine whether the hospital's requested capital allowance is appropriate based upon the following:

(i) Capital allowance includes a return on net property, plant and equipment (property, plant and equipment less accumulated depreciation) used in hospital operations, an allowance for working capital, and other considerations as determined to be appropriate by the commission.

(A) The value for net property, plant and equipment shall be derived from the balances at the end of the hospital's current year, as approved by the commission, and the projected balances at the end of the budget year. An average shall be calculated. The average of the net property, plant and equipment shall be the base upon which the return shall be calculated.

(I) Any capital expenditures contained in the projected balances at the end of the budget year which are subject to certificate of need approval will be excluded from the base until such time as the certificate of need has been issued by the department of social and health services.

(II) Any assets contained in net property, plant and equipment that do not relate to hospital operations, as defined in the commission's Accounting and Reporting Manual for Hospitals, pursuant to WAC 261-20-030, will be excluded from the base.

(B) A return on net property, plant and equipment as determined in (I), (II), and (III) below shall be presumed appropriate; however, the commission may vary from that return, higher or lower, where appropriate.

(I) The rate of return on equity financed net property, plant and equipment shall be calculated by averaging the reported interest rates on twenty-five year "A" rated tax-exempt bonds as reported in each issue of Rate Controls from the three months ending on August 31, of the year preceding the budget year.

(II) The rate of return on debt financed net property, plant and equipment shall be a blended average of each hospital's average interest rate on long-term debt and the rate of return on equity financed net property, plant and equipment. The blending schedule is as follows:

(aa) For hospital fiscal years beginning in 1988: Fifty percent – each hospital's average interest rate on long-term debt, fifty percent – rate of return on equity financed net property, plant and equipment;

(bb) For hospital fiscal years beginning in 1989: Twenty-five percent – each hospital's average interest rate on long-term debt, seventy-five percent – rate of return on equity financed net property, plant and equipment;

(cc) For hospital fiscal years beginning in 1990 and each year thereafter: Zero percent – each hospital's average interest rate on long-term debt, one hundred percent – rate of return on equity financed net property, plant and equipment.

(III) After computation of the return on net property, plant and equipment, allowable interest expense on long-term debt shall be deducted from the computed return.

(C) Working capital increases, if requested, shall be added to the return on net property, plant and equipment for determination of the total capital allowance. Working capital increases up to thirteen and one-half percent of the increase in net patient services revenue from

the approved budget in the current year to the approved budget as determined by the commission in the requested year shall be presumed appropriate; however, the commission may vary from that allowance, higher or lower, where appropriate.

(I) The commission may determine that a hospital which is found essential to assure access of the rural public to basic health care services is experiencing financial distress and may determine to vary from the allowance for working capital.

(II) The commission may determine to allow additional working capital where the hospital can demonstrate to the commission's satisfaction that its payer mix would require additional funding of accounts receivable. In the event that increased working capital is determined by the commission to be necessary, but the amount of working capital is found by the commission to cause an excessive impact on total revenues or rates, the commission may choose to allow the hospital to borrow the necessary cash and to allow interest on borrowed cash as an operating expense in the budget year.

(D) The commission may consider other elements in the determination of appropriate capital allowance for inclusion in total rate setting revenue. These considerations include, but are not limited to, the following elements:

(I) Rural hospitals that have been under-capitalized as determined by an average accounting age of property, plant and equipment which exceeds one hundred fifty percent of the state-wide average; and a total turnover rate of assets which exceeds the upper quartile of far west hospitals of the same size category as defined in the latest "Hospital Industry Financial Report" of the healthcare financial management association or a fixed asset turnover rate which exceeds the upper quartile of far west hospitals of the same bed size category as defined in the latest "Hospital Industry Financial Report" of the healthcare financial management association, provided that:

(aa) The total level of capital allowance for under-capitalized hospitals should not exceed one hundred twenty-five percent of the baseline level; and

(bb) The requested rate per adjusted admission, as revised to reflect the hospital's case mix index, does not exceed the peer group median; and

(cc) The resulting increase in the rate per adjusted case mix value unit does not exceed one hundred twenty-five percent of the budgeted peer group median rate of increase.

(II) Whether that portion of debt principal payments which exceeds the total depreciation expense in the budget year should be allowed;

(III) Whether the capital allowance should include equity funding or accumulation of funds for a project in the future, if the hospital's net patient services revenue per adjusted case mix value unit is at or below the median of its peer group and which is increasing from the current year approved level at a percentage change which is at or below the median rate of change of its peer group, the proposed project is consistent with the hospital's long-range plan and financing plan which have been approved by the hospital's governing body, and any equity funding allowed in total rate setting revenue is maintained in a separate subaccount within board designated assets and cannot be used for any other purpose without prior approval of the commission;

(IV) If the hospital has an approved certificate of need and related financing consistent with the approved certificate of need and the impact on rates of the additional funding is determined not to be excessive by the commission; and

(V) Other considerations proposed by the hospital or other interested persons and determined to be appropriate by the commission, including the impact that any deviation from the baseline capital allowance will have on the commission's ability to achieve total state-wide hospital revenue that do not exceed the target dollar amount of total state-wide hospital revenue as adopted by the commission in accordance with RCW 70.39.150(6).

(f) Whether the budgeted deductions from revenue are appropriate:

(i) Contractual adjustments related to governmental programs, such as Titles V, XVIII, XIX of the Social Security Act, Department of Labor and Industries, self-insured workers' compensation, Veteran's Administration, and Indian Health Service are allowable as deductions from revenue for rate setting purposes when the hospital payment rates are established unilaterally by the program.

(ii) Contractual adjustments related to bank card discounts, negotiated rates and all other nongovernmental-sponsored patients are not allowable as deductions from revenue for rate setting purposes, except as provided for by WAC 261-40-170(4);

(iii) Contractual adjustments relating to contracts executed with the department of social and health services, under the Medicaid selective

contracting program, are allowable as deductions from revenue for rate setting purposes;

total rate setting revenue over time and any significant changes will require justification;

(v) Administrative adjustments exceeding one-tenth of one percent of total rate setting revenue will require justification; and

(vi) Deductions from revenue may be recomputed based on determinations in all other areas of the budget.

(g) Whether the reviews performed in accordance with (a), (b), (c), (d), (e) and (f) of this subsection result in rates, rate schedules, other charges, and changes therein which are the most reasonable under the circumstances.

(i) Net patient services revenue per adjusted case mix value unit should not exceed the 70th percentile of the peer group revenue screens as adjusted for each hospital's case mix index unless the hospital demonstrates to the commission's satisfaction that the relatively high rates are acceptable;

(ii) After allocating deductions from revenue and capital allowance to the various hospital revenue centers as a constant percentage of operating expenses, cross subsidization shall not exceed plus or minus five percent of expenses for rate setting, unless the commission concurs with a specific hospital request for larger levels of cross subsidization or the hospital is a basic service hospital as defined by the commission.

(iii) The commission may consider any other information it determines is appropriate as the basis for deviating from these criteria including the relative level of deductions from revenue experienced by the hospitals;

(iv) If the rates are not approved as requested, including the disapproval of requested cross-subsidization levels, the hospital must submit revised rates to the commission within twenty days of the date of service of the decision and order. Upon notification that the rates are in accordance with the decision and order, the approved rates are the maximum revenue that a hospital may receive for each unit of service, except for such rate changes as may be necessary to reflect differences between approved and actual volumes and deductions from revenue. Variable costs associated with changes in volumes will be determined in accordance with the variable cost ratios as described in (6)(d) below.

The following is effective for hospital fiscal years beginning on or after January 1, 1987.

(6) Whether the rates implemented and revenues collected by the hospital in the previous budget year conformed to the applicable commission determination for that year.

(a) Conformance will be determined by comparing, at the end of the budget year, actual revenues for the budget year to commission-approved revenues, on the basis of the aggregate rate per adjusted case mix value unit. The revenues may be modified, where appropriate, for volume variance between budgeted and actual levels of adjusted case mix value units.

(b) Actual allowable, rather than budgeted, deductions from revenue will be used in the conformance calculation, except that deductions from revenue related to differential resource use, as provided for by WAC 261-40-170(4), shall be considered a fixed cost when considering year-end conformance.

(c) The approved capital allowance shall be considered a fixed cost when considering year-end conformance.

(d) Only that portion of total operating costs designated as variable according to the following schedule will be adjusted for volume variance:

(i) Peer Group A and specialty hospitals having fewer than fifty beds; fixed costs - eighty percent, variable costs - twenty percent;

(ii) Peer Group B and specialty hospital having from fifty to one hundred seventy-five beds; fixed costs - sixty-five percent, variable costs - thirty-five percent; and

(iii) Peer Group C and specialty hospitals having more than one hundred seventy-five beds; fixed costs - fifty percent, variable costs - fifty percent.

(e) Alternatively, the hospital may submit suggested ratios of fixed costs to variable costs by natural classification of expense. Upon approval by the commission, such approved ratios will be used. Upon approval by the commission, such approved ratios will be used only prospectively to determine allowable operating expense variance due to volume changes.

(f) The hospital may submit any proposed justifying information to explain deviations/variances from approved revenues.

(i) Any proposed justifying information must include at least the following supporting information:

(A) The exact nature and extent of the factors contributing to excess revenue;

(B) The date at which hospital management became aware of the factors contributing to excess revenue;

(C) The date at which hospital management increased rates above the allowable level taking into account volume changes and actual deductions from revenue;

(D) An explanation of efforts to reduce other components of the budget to offset the factors contributing to the excess revenues; and

(E) An explanation of why the hospital did not seek a budget amendment.

(ii) In no event will increased operating expenses be accepted as justification if the volume adjusted allowable operating expenses equal or exceed the actual level.

(iii) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been controlled by hospital management.

(iv) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been anticipated by the hospital or could have been identified by the hospital in sufficient time to submit a budget amendment in accordance with WAC 261-20-045.

(v) In no event will capital allowance in excess of the approved level be accepted as justification.

(vi) Hospitals will be allowed to retain any actual capital allowance in excess of the approved level that results from cost effective practices as defined as, and measured by, actual operating expenses that are below the volume adjusted approved operating expenses.

(g) Staff shall notify each hospital found to be out of conformance within sixty days of receiving all applicable information necessary to compute the hospital's year-end conformance calculation. If the commission determines that a hospital's revenues have not conformed to the applicable determinations for that year, a decision and order will be issued reducing the hospital's current budget and rates by the amount that actual revenues exceed allowable revenues.

(7) Whether the hospital or its medical staff either adopts or maintains admission practices or policies which result in:

(a) A significant reduction in the proportion of patients who have no third-party coverage or who are unable to pay for hospital services;

(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services; and

(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 86-01, Resolution No. 86-01, filed 5/16/86)

**WAC 261-40-170 NEGOTIATED RATES.** (1) After July 1, 1985, any hospital may negotiate with and charge any particular payer or purchaser rates that are less than those approved by the commission, if:

(a) The rates are cost justified; and

(b) The rates do not result in any shifting of costs to other payers or purchasers in the current or any subsequent year; and

(c) The rates do not result in any policies which limit access to individuals who are unable to pay or for whom the hospital receives less than anticipated charges for or costs of necessary health care services; and

(d) All the terms of such negotiated rates are filed with the commission within ten working days and made available for public inspection.

(2) Within ten working days after the contract is signed, the hospital must submit full disclosure of each negotiated rate, including:

(a) The names of the parties to the negotiation;

(b) The period of time covered by the agreement;

(c) The negotiated rate or the amount of the reduction from the rate approved by the commission; and

(d) Any other terms or conditions related to the negotiated rates.

(3) Following publication of a negotiated rate as required by WAC 261-40-170(8), each hospital shall make the information reported in WAC 261-40-170(2) for that negotiated rate available to the public upon request.

(4) The differential between billed charges, based on the hospital's full established rates, and the payment received, based on the negotiated rate, must be separately identified for each negotiated contract and reported on lines 23-31, Form SS-8 deductions from revenue. These amounts are "memo" only and may not be allocated to other payers or purchasers in the current or any subsequent year; provided that, the commission may, upon request from a hospital, approve a deduction from revenue as necessary to reflect differential resource use of General Services, account codes 8310 through 8490, Fiscal Services, account codes 8510 through 8570, Medical Records, account code 8690, and Health Care Review, account code 8710. Upon approval of the deduction from revenue, rates shall be set accordingly. Any hospital requesting such a deduction from revenue shall submit documentation sufficient to demonstrate the differences in resource use among payers or groups of payers. Rates reflecting such deductions from revenue shall only be applicable to the current budget period.

(5) The commission shall review a negotiated rate upon the request of any concerned party. Such a request shall include the following:

(a) Identification of the party requesting the review;

(b) Identification of the particular negotiated rate involved;

(c) A clear statement of the violation alleged, e.g., it is not cost justified; it results in a cost shift to other payers or purchasers; or it does not otherwise conform with the provisions of RCW 70.39.140;

(d) A statement of how the party is affected by the negotiated rate;

(e) Evidence supporting the party's claim; and

(f) The action requested of the commission.

(6) If upon review the negotiated rate is found to contravene any provision of RCW 70.39.140, the commission may disapprove such rate. Such disapproval shall be effective as of the date of the commission's order disapproving the negotiated rate. Once a negotiated rate is disapproved by the commission, the hospital may no longer charge such rate.

(7) The commission will publish on meeting agendas a list of all negotiated rates filed by hospitals, including the names of the parties to the negotiation, within thirty days after filing.

(8) The provisions of WAC 261-40-170 apply to all negotiated rates in effect on or after July 1, 1985.

#### WSR 89-01-010

#### EMERGENCY RULES

#### HOSPITAL COMMISSION

[Order 88-08, Resolution No. 88-08—Filed December 9, 1988]

Be it resolved by the Washington State Hospital Commission, acting at the Airport Ramada Inn, Spokane, Washington, that it does adopt the annexed rules relating to:

Amd WAC 261-40-150 Methodology and criteria for approval, modification, or disapproval of annual budget submittal and rates, rate schedules, other charges and changes therein.

Amd WAC 261-40-170 Negotiated rates.

We, the Washington State Hospital Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is on December 9, 1988, an order will be entered in Thurston County Superior Court invalidating administrative rules regarding negotiated rates and budget review and approval. Emergency rules are required to comply with this action and to avoid ambiguities regarding the review of hospital

budgets and approving rates in the absence of these rules.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 70.39.180 which directs that the Washington State Hospital Commission has authority to implement the provisions of RCW 70.39.140, 70.39.150 and 70.39.160.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 8, 1988.

By Maurice A. Click  
Executive Director

**AMENDATORY SECTION (Amending Order 88-07, Resolution No. 88-07, filed 10/28/88)**

**WAC 261-40-150 METHODOLOGY AND CRITERIA FOR APPROVAL, MODIFICATION, OR DISAPPROVAL OF ANNUAL BUDGET SUBMITTAL AND RATES, RATE SCHEDULES, OTHER CHARGES, AND CHANGES THEREIN.** The following methodology and criteria shall be utilized by the commission in reviewing and acting on annual budget submittals. The relative importance of each criterion, and the extent to which justification for variance from the methodology and criteria is accepted, is a matter of commission discretion:

(1) Whether the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein:

(a) Are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the hospital are reasonably related to the total services offered by that hospital;

(b) Are such that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital;

(c) Are such that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs; and

(d) Are such that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

(2) Whether the commission action will permit the hospital to render necessary, effective and efficient service in the public interest.

(3) Whether the commission action will assure access to necessary, effective, economically viable and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.

(a) Rural includes all areas of the state with the following exceptions:

(i) The entire counties of Snohomish (including Camano Island), King, Kitsap, Pierce, Thurston, Clark, and Spokane;

(ii) Areas within a twenty-mile radius of an urban area exceeding thirty thousand population; and

(iii) Those cities or city-clusters located in rural counties but which for all practical purposes are urban. These areas are Bellingham, Aberdeen-Hoquiam, Longview-Kelso, Wenatchee, Yakima, Sunnyside, Richland-Kennewick-Pasco, and Walla Walla.

(b) The commission may, at its discretion, determine that individual hospitals located in areas meeting the aforementioned criteria should not be considered rural for purposes of conducting comparative budget reviews between hospitals. In such cases, the affected hospitals will be compared against those hospitals classified as either Peer Group B or Peer Group D for comparative purposes.

(4) Whether the appropriate area-wide and state comprehensive health planning agencies have recommended approval, modification, or disapproval of the annual budget submittal, or the rates, rate schedules, other charges, or changes therein.

(5) Whether the proposed budget and the projected revenues and expenses would result in the rate structure most reasonable under the circumstances. The following shall be considered by the commission in making that determination:

(a) For purposes of conducting comparative budget review, the commission shall assign each hospital to a peer group, as follows:

(i) Peer Group A – those hospitals designated as rural in accordance with WAC 261-40-150 (3)(a);

(ii) Peer Group B – those hospitals not designated within Peer Groups A, C, or D;

(iii) Peer Group C – those hospitals with accredited graduate medical education programs, except those that are classified within Peer Group D; and

(iv) Peer Group D – those hospitals which the commission has determined exhibit unique characteristics that make comparative analysis inappropriate.

(b) The commission shall determine whether the hospital's requested utilization statistics are reasonably attainable, based upon:

(i) The adjusted case mix value units for each hospital which were used to develop the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue; and

(ii) Maintaining a reasonable relationship between the volumes of each hospital department with the adjusted case mix value units which were used to develop the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue.

(A) Deviations from the volume levels determined through these procedures will be taken into account in the computation of year-end conformance, as described in WAC 261-40-150(6).

(c) The commission shall utilize a principal screen to compare the hospital's requested net patient services revenue (total rate setting revenue less deductions from revenue) per adjusted case mix value unit to the hospital's baseline net patient services revenue per adjusted case mix value unit as calculated in item (i) below and applied by items (ii), (iii), and (iv) below:

(i) Each hospital's baseline net patient services revenue per adjusted case mix value unit shall be calculated as follows:

(A) Baseline adjusted case mix value units shall be equal to the current year approved level;

(B) Baseline net patient services revenue shall be determined as an allocated amount of the net patient services revenue component of the target dollar amount of total state-wide hospital revenue.

(ii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue does not exceed the revised baseline, the operating expense and capital allowance sections of the hospital's annual budget submittal will not be subject to further review provided that the resulting rates meet the criteria of subsections (5)(g), (6), and (7) of this section.

(iii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue exceeds the revised baseline, further review of the components of operating expense and capital allowance will be conducted.

(iv) Peer Group A hospitals with requested net patient services revenue(s) per adjusted case mix value unit which are at or below the 70th percentile for their peer group, and which are increasing from the current year approved level at a percentage change which is at or below the 70th percentile rate of change for the peer group, shall be exempted from the principal screen review and the review of operating expenses and capital allowance, so long as the budgeted adjusted case mix value units appear to be reasonably attainable.

(d) The commission shall determine whether the hospital's requested operating expenses are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the services are reasonably related to the total services offered by that hospital and are such that the hospital's costs do not exceed those that are necessary for a reasonably and prudently managed hospital, based upon:

(i) Adjusting the requested level of operating expenses to reflect the adjusted case mix value units as determined according to (5)(b) of this section, utilizing the variable cost factors described in subsection (6) of this section;

(ii) Applying national hospital market basket inflation forecasts to operating expenses by natural classification. National inflation forecasts will be modified to reflect regional or state-wide economic conditions, as appropriate; and

(iii) Such other information as the commission may determine is appropriate as a basis for deviating from the standard variable cost ratios specified in subsection (6) of this section or inflation forecasts. This information shall include but not be limited to:

(A) Revisions necessary to comply with the commission's Accounting and Reporting Manual for Hospitals pursuant to WAC 261-20-030;

(B) Reasonable operating expenses related to implementation or deletion of services or programs for which

certificate of need approval has been obtained, if requested;

(C) Reasonable operating expenses related to expansion or contraction of hospital capacity for which certificate of need approval has been obtained, if required;

(D) Volume adjustments of a magnitude which render the standard variable cost factors described in subsection (6) of this section inappropriate, and

(E) Reasonable operating expenses related to malpractice tail liability expense accruals, if requested, under the following conditions:

(I) The expense will be recognized in the year-end conformance calculations at the lesser of the approved or funded level;

(II) This expense will be subject to the statutory requirement that expenses be necessary for prudently and reasonably managed hospitals, including any determinations by the commission that risk sharing among multiple hospitals may result in lower costs to the consumers and purchasers of hospital health care services;

(III) If requested and approved in rates, this expense must be placed into a fund, restricted by the commission and reviewed annually, with interest earnings accruing to that fund;

(IV) Malpractice claims which are not otherwise covered by malpractice insurance which are in excess of the malpractice tail liability restricted fund should be included in rates in the year in which an actual award, resulting from litigation or negotiation, is made to the claimant: PROVIDED, That only that portion of any such awards that exceeds the restricted funds held for this purpose will be included in commission approved total rate setting revenue;

(V) In the event that a hospital changes insurance carriers, does not obtain insurance in a subsequent year, is sold, or discontinues services as a hospital as defined in RCW 70.39.020(3), the premium for malpractice tail coverage insurance must be paid out of the restricted fund: PROVIDED, That such malpractice tail coverage insurance is not otherwise made available to the hospital as a condition of previous or existing malpractice insurance policies;

(VI) Annual requests for malpractice tail liability expense accrual funding must be documented by actuarial studies or reasonable estimates, subject to verification, of the total of such liabilities and documentation of the amount of such restricted funds, with the difference between the two amounts equalling the amount that the commission will consider including in rates for that budget period: PROVIDED, That if the commission determines that full funding of the malpractice liability restricted fund within any one budget period may result in unreasonable rates or excessive rates of increase in rates, the approval of rates to achieve full funding of the restricted fund may be spread over additional years;

(VII) Once a hospital has received approval from the commission to increase patient rates to include the malpractice tail liability expense accrual, the hospital must provide an annual report to the commission from a licensed actuary or reasonable estimate, subject to verification, showing the total estimate of such liabilities as of the end of the budget year, and any excesses which may

have been expensed and funded in previous years will be deducted from that year's approved total rate setting revenue;

(VIII) As a condition of approving the inclusion of malpractice tail liability expense accruals in total rate setting revenue, the commission will require that each hospital for which this expense is approved file financial statements which have been audited by an independent certified public accountant.

(F) Other consideration presented by the hospital or other concerned persons and determined to be appropriate by the commission, including the impact that the acceptance of operating expense increases above the baseline level would have on the commission's ability to achieve total state-wide revenue that are within the target dollar amount of total state-wide hospital revenue as adopted by the commission in accordance with RCW 70.39.150(6), and comparative analysis of the hospital's operating expenses with hospitals within the same peer group.

(e) The commission shall determine whether the hospital's requested capital allowance is appropriate based upon the following:

(i) Capital allowance includes a return on net property, plant and equipment (property, plant and equipment less accumulated depreciation) used in hospital operations, an allowance for working capital, and other considerations as determined to be appropriate by the commission.

(A) The value for net property, plant and equipment shall be derived from the balances at the end of the hospital's current year, as approved by the commission, and the projected balances at the end of the budget year. An average shall be calculated. The average of the net property, plant and equipment shall be the base upon which the return shall be calculated.

(I) Any capital expenditures contained in the projected balances at the end of the budget year which are subject to certificate of need approval will be excluded from the base until such time as the certificate of need has been issued by the department of social and health services.

(II) Any assets contained in net property, plant and equipment that do not relate to hospital operations, as defined in the commission's Accounting and Reporting Manual for Hospitals, pursuant to WAC 261-20-030, will be excluded from the base.

(B) A return on net property, plant and equipment as determined in (I), (II), and (III) below shall be presumed appropriate; however, the commission may vary from that return, higher or lower, where appropriate.

(I) The rate of return on equity financed net property, plant and equipment shall be calculated by averaging the reported interest rates on twenty-five year "A" rated tax-exempt bonds as reported in each issue of Rate Controls from the three months ending on August 31, of the year preceding the budget year.

(II) The rate of return on debt financed net property, plant and equipment shall be a blended average of each hospital's average interest rate on long-term debt and the rate of return on equity financed net property, plant and equipment. The blending schedule is as follows:

(aa) For hospital fiscal years beginning in 1988: Fifty percent – each hospital's average interest rate on long-term debt, fifty percent – rate of return on equity financed net property, plant and equipment;

(bb) For hospital fiscal years beginning in 1989: Twenty-five percent – each hospital's average interest rate on long-term debt, seventy-five percent – rate of return on equity financed net property, plant and equipment;

(cc) For hospital fiscal years beginning in 1990 and each year thereafter: Zero percent – each hospital's average interest rate on long-term debt, one hundred percent – rate of return on equity financed net property, plant and equipment.

(III) After computation of the return on net property, plant and equipment, allowable interest expense on long-term debt shall be deducted from the computed return.

(C) Working capital increases, if requested, shall be added to the return on net property, plant and equipment for determination of the total capital allowance. Working capital increases up to thirteen and one-half percent of the increase in net patient services revenue from the approved budget in the current year to the approved budget as determined by the commission in the requested year shall be presumed appropriate; however, the commission may vary from that allowance, higher or lower, where appropriate.

(I) The commission may determine that a hospital which is found essential to assure access of the rural public to basic health care services is experiencing financial distress and may determine to vary from the allowance for working capital.

(II) The commission may determine to allow additional working capital where the hospital can demonstrate to the commission's satisfaction that its payer mix would require additional funding of accounts receivable. In the event that increased working capital is determined by the commission to be necessary, but the amount of working capital is found by the commission to cause an excessive impact on total revenues or rates, the commission may choose to allow the hospital to borrow the necessary cash and to allow interest on borrowed cash as an operating expense in the budget year.

(D) The commission may consider other elements in the determination of appropriate capital allowance for inclusion in total rate setting revenue. These considerations include, but are not limited to, the following elements:

(I) Rural hospitals that have been under-capitalized as determined by an average accounting age of property, plant and equipment which exceeds one hundred fifty percent of the state-wide average; and a total turnover rate of assets which exceeds the upper quartile of far west hospitals of the same size category as defined in the latest "Hospital Industry Financial Report" of the healthcare financial management association or a fixed asset turnover rate which exceeds the upper quartile of far west hospitals of the same bed size category as defined in the latest "Hospital Industry Financial Report" of the healthcare financial management association, provided that:

(aa) The total level of capital allowance for under-capitalized hospitals should not exceed one hundred twenty-five percent of the baseline level; and

(bb) The requested rate per adjusted admission, as revised to reflect the hospital's case mix index, does not exceed the peer group median; and

(cc) The resulting increase in the rate per adjusted case mix value unit does not exceed one hundred twenty-five percent of the budgeted peer group median rate of increase.

(II) Whether that portion of debt principal payments which exceeds the total depreciation expense in the budget year should be allowed;

(III) Whether the capital allowance should include equity funding or accumulation of funds for a project in the future, if the hospital's net patient services revenue per adjusted case mix value unit is at or below the median of its peer group and which is increasing from the current year approved level at a percentage change which is at or below the median rate of change of its peer group, the proposed project is consistent with the hospital's long-range plan and financing plan which have been approved by the hospital's governing body, and any equity funding allowed in total rate setting revenue is maintained in a separate subaccount within board designated assets and cannot be used for any other purpose without prior approval of the commission;

(IV) If the hospital has an approved certificate of need and related financing consistent with the approved certificate of need and the impact on rates of the additional funding is determined not to be excessive by the commission; and

(V) Other considerations proposed by the hospital or other interested persons and determined to be appropriate by the commission, including the impact that any deviation from the baseline capital allowance will have on the commission's ability to achieve total state-wide hospital revenue that do not exceed the target dollar amount of total state-wide hospital revenue as adopted by the commission in accordance with RCW 70.39.150(6).

(f) Whether the budgeted deductions from revenue are appropriate:

(i) Contractual adjustments related to governmental programs, such as Titles V, XVIII, XIX of the Social Security Act, Department of Labor and Industries, self-insured workers' compensation, Veteran's Administration, and Indian Health Service are allowable as deductions from revenue for rate setting purposes when the hospital payment rates are established unilaterally by the program.

(ii) Contractual adjustments related to bank card discounts, negotiated rates and all other nongovernmental-sponsored patients are not allowable as deductions from revenue for rate setting purposes, except as provided for by WAC 261-40-170(4);

(iii) Contractual adjustments relating to contracts executed with the department of social and health services, under the Medicaid selective contracting program, are allowable as deductions from revenue for rate setting purposes;

total rate setting revenue over time and any significant changes will require justification;

(v) Administrative adjustments exceeding one-tenth of one percent of total rate setting revenue will require justification; and

(vi) Deductions from revenue may be recomputed based on determinations in all other areas of the budget.

(g) Whether the reviews performed in accordance with (a), (b), (c), (d), (e) and (f) of this subsection result in rates, rate schedules, other charges, and changes therein which are the most reasonable under the circumstances.

(i) Net patient services revenue per adjusted case mix value unit should not exceed the 70th percentile of the peer group revenue screens as adjusted for each hospital's case mix index unless the hospital demonstrates to the commission's satisfaction that the relatively high rates are acceptable;

(ii) After allocating deductions from revenue and capital allowance to the various hospital revenue centers as a constant percentage of operating expenses, cross subsidization shall not exceed plus or minus five percent of expenses for rate setting, unless the commission concurs with a specific hospital request for larger levels of cross subsidization or the hospital is a basic service hospital as defined by the commission.

(iii) The commission may consider any other information it determines is appropriate as the basis for deviating from these criteria including the relative level of deductions from revenue experienced by the hospitals;

(iv) If the rates are not approved as requested, including the disapproval of requested cross-subsidization levels, the hospital must submit revised rates to the commission within twenty days of the date of service of the decision and order. Upon notification that the rates are in accordance with the decision and order, the approved rates are the maximum revenue that a hospital may receive for each unit of service, except for such rate changes as may be necessary to reflect differences between approved and actual volumes and deductions from revenue. Variable costs associated with changes in volumes will be determined in accordance with the variable cost ratios as described in (6)(d) below.

The following is effective for hospital fiscal years beginning on or after January 1, 1987.

(6) Whether the rates implemented and revenues collected by the hospital in the previous budget year conformed to the applicable commission determination for that year.

(a) Conformance will be determined by comparing, at the end of the budget year, actual revenues for the budget year to commission-approved revenues, on the basis of the aggregate rate per adjusted case mix value unit. The revenues may be modified, where appropriate, for volume variance between budgeted and actual levels of adjusted case mix value units.

(b) Actual allowable, rather than budgeted, deductions from revenue will be used in the conformance calculation, except that deductions from revenue related to differential resource use, as provided for by WAC 261-40-170(4), shall be considered a fixed cost when considering year-end conformance.

(c) The approved capital allowance shall be considered a fixed cost when considering year-end conformance.

(d) Only that portion of total operating costs designated as variable according to the following schedule will be adjusted for volume variance:

(i) Peer Group A and specialty hospitals having fewer than fifty beds; fixed costs – eighty percent, variable costs – twenty percent;

(ii) Peer Group B and specialty hospital having from fifty to one hundred seventy-five beds; fixed costs – sixty-five percent, variable costs – thirty-five percent; and

(iii) Peer Group C and specialty hospitals having more than one hundred seventy-five beds; fixed costs – fifty percent, variable costs – fifty percent.

(e) Alternatively, the hospital may submit suggested ratios of fixed costs to variable costs by natural classification of expense. Upon approval by the commission, such approved ratios will be used. Upon approval by the commission, such approved ratios will be used only prospectively to determine allowable operating expense variance due to volume changes.

(f) The hospital may submit any proposed justifying information to explain deviations/variances from approved revenues.

(i) Any proposed justifying information must include at least the following supporting information:

(A) The exact nature and extent of the factors contributing to excess revenue;

(B) The date at which hospital management became aware of the factors contributing to excess revenue;

(C) The date at which hospital management increased rates above the allowable level taking into account volume changes and actual deductions from revenue;

(D) An explanation of efforts to reduce other components of the budget to offset the factors contributing to the excess revenues; and

(E) An explanation of why the hospital did not seek a budget amendment.

(ii) In no event will increased operating expenses be accepted as justification if the volume adjusted allowable operating expenses equal or exceed the actual level.

(iii) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been controlled by hospital management.

(iv) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been anticipated by the hospital or could have been identified by the hospital in sufficient time to submit a budget amendment in accordance with WAC 261-20-045.

(v) In no event will capital allowance in excess of the approved level be accepted as justification.

(vi) Hospitals will be allowed to retain any actual capital allowance in excess of the approved level that results from cost effective practices as defined as, and measured by, actual operating expenses that are below the volume adjusted approved operating expenses.

(g) Staff shall notify each hospital found to be out of conformance within sixty days of receiving all applicable information necessary to compute the hospital's year-

end conformance calculation. If the commission determines that a hospital's revenues have not conformed to the applicable determinations for that year, a decision and order will be issued reducing the hospital's current budget and rates by the amount that actual revenues exceed allowable revenues.

(7) Whether the hospital or its medical staff either adopts or maintains admission practices or policies which result in:

(a) A significant reduction in the proportion of patients who have no third-party coverage or who are unable to pay for hospital services;

(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services; and

(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 86-01, Resolution No. 86-01, filed 5/16/86)

**WAC 261-40-170 NEGOTIATED RATES.** (1) After July 1, 1985, any hospital may negotiate with and charge any particular payer or purchaser rates that are less than those approved by the commission, if:

(a) The rates are cost justified; and

(b) The rates do not result in any shifting of costs to other payers or purchasers in the current or any subsequent year; and

(c) The rates do not result in any policies which limit access to individuals who are unable to pay or for whom the hospital receives less than anticipated charges for or costs of necessary health care services; and

(d) All the terms of such negotiated rates are filed with the commission within ten working days and made available for public inspection.

(2) Within ten working days after the contract is signed, the hospital must submit full disclosure of each negotiated rate, including:

(a) The names of the parties to the negotiation;

(b) The period of time covered by the agreement;

(c) The negotiated rate or the amount of the reduction from the rate approved by the commission; and

(d) Any other terms or conditions related to the negotiated rates.

(3) Following publication of a negotiated rate as required by WAC 261-40-170(8), each hospital shall make the information reported in WAC 261-40-170(2) for that negotiated rate available to the public upon request.

(4) The differential between billed charges, based on the hospital's full established rates, and the payment received, based on the negotiated rate, must be separately

*identified for each negotiated contract and reported on lines 23-31, Form SS-8 deductions from revenue. These amounts are "memo" only and may not be allocated to other payers or purchasers in the current or any subsequent year, provided that, the commission may, upon request from a hospital, approve a deduction from revenue as necessary to reflect differential resource use of General Services, account codes 8310 through 8490, Fiscal Services, account codes 8510 through 8570, Medical Records, account code 8690, and Health Care Review, account code 8710. Upon approval of the deduction from revenue, rates shall be set accordingly. Any hospital requesting such a deduction from revenue shall submit documentation sufficient to demonstrate the differences in resource use among payers or groups of payers. Rates reflecting such deductions from revenue shall only be applicable to the current budget period.*

(5) The commission shall review a negotiated rate upon the request of any concerned party. Such a request shall include the following:

(a) Identification of the party requesting the review;  
 (b) Identification of the particular negotiated rate involved;

(c) A clear statement of the violation alleged, e.g., it is not cost justified; it results in a cost shift to other payers or purchasers; or it does not otherwise conform with the provisions of RCW 70.39.140;

(d) A statement of how the party is affected by the negotiated rate;

(e) Evidence supporting the party's claim; and  
 (f) The action requested of the commission.

(6) If upon review the negotiated rate is found to contravene any provision of RCW 70.39.140, the commission may disapprove such rate. Such disapproval shall be effective as of the date of the commission's order disapproving the negotiated rate. Once a negotiated rate is disapproved by the commission, the hospital may no longer charge such rate.

(7) The commission will publish on meeting agendas a list of all negotiated rates filed by hospitals, including the names of the parties to the negotiation, within thirty days after filing.

(8) The provisions of WAC 261-40-170 apply to all negotiated rates in effect on or after July 1, 1985.

**WSR 89-01-011  
EMERGENCY RULES  
DEPARTMENT OF FISHERIES**  
[Order 88-182—Filed December 9, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest.

to public interest. A statement of the facts constituting the emergency is this regulation is required to minimize the incidental capture of steelhead and salmon by set nets in the west end of Port Madison. It is in the public interest to do this and there is inadequate time to follow the permanent rule adoption process.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 9, 1988.

By Edward P. Manary  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-48-02900C SET NET—DOGFISH—SEASONS.** Notwithstanding the provisions of WAC 220-48-029, effective 12:01 a.m. December 11, 1988, until further notice it is unlawful to fish for dogfish for commercial purposes with set net gear in those waters of Port Madison west of line from Pt. Monroe to the pier at Indianola

**WSR 89-01-012  
EMERGENCY RULES  
DEPARTMENT OF FISHERIES**  
[Order 88-183—Filed December 9, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is openings in Area 7B provide opportunity to harvest non-Indian allocation of chum destined for the Nooksack-Samish region of origin, and to prevent wastage. The restriction in Area 7B is necessary to maintain an orderly fishery. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks. There is inadequate time to follow the permanent rule adoption process.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 9, 1988.

By Edward P. Manary  
for Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-47-937 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 PM Saturday December 10 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and restrictions:

- \* Area 7B – Purse seines may fish to 8:00 PM Wednesday December 14, and Gillnets using 6-inch minimum mesh may fish to 8:00 PM Wednesday December 14. This area 7B opening excludes those waters north and east of a line projected from the light at the Port of Bellingham North Terminal to the light at the end of Squalicum Creek Waterway.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 PM Saturday December 10:

**WAC 220-47-936 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-179)**

**WSR 89-01-013  
RULES OF COURT  
STATE SUPREME COURT**  
[November 29, 1988]

IN THE MATTER OF THE ADOPTION NO. 25700-A-425  
OF THE AMENDMENT TO JuCR 7.3(d) ORDER

The Superior Court Judges' Association having approved the proposed amendment to JuCR 7.3(d) and the Court having determined that the amendment will aid in the prompt and orderly administration of justice and having further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby  
ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 29th day of November, 1988.

Vernon R. Pearson

Robert F. Utter	James A. Andersen
Robert F. Brachtenbach	Keith M. Callow
Fred H. Dore	James M. Dolliver
B. Durham	Charles Z. Smith

JuCR 7.3(d)

(d) If Motion Not Filed Before Custody. If a juvenile alleged to have violated a conditional release order or a disposition order is taken into custody and held in detention before a motion to modify the conditional release order or the disposition order is filed, the juvenile shall be released unless a motion is filed within 72 hours (excluding Saturdays, Sundays, and holidays) after taking the juvenile into custody. A juvenile held in detention after the filing of a motion shall be given a preliminary hearing within 72 hours (excluding Saturdays, Sundays, and holidays) of the filing of the motion, or the juvenile shall be released.

**WSR 89-01-014  
PROPOSED RULES  
DEPARTMENT OF LICENSING  
(Board of Medical Examiners)  
[Filed December 9, 1988]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Medical Examiners intends to adopt, amend, or repeal rules concerning:

- Amd WAC 308-52-136 Physicians' assistants—Scope of jurisdiction.  
Amd WAC 308-52-139 Physician assistant—Registration.  
Amd WAC 308-52-260 Examination scores;

that the agency will at 9:30 a.m., Friday, January 27, 1989, in the Airport Hilton Hotel, 17620 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.71.017, 18.71A.010 and 18.71A.040.

The specific statute these rules are intended to implement is RCW 18.71.017 and 18.71A.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 26, 1989.

Dated: December 8, 1988  
 By: John H. Keith  
 Assistant Attorney General  
 Board Counsel

### STATEMENT OF PURPOSE

Title: Board of Medical Examiners; WAC 308-52-136 Physicians' assistants—Scope of jurisdiction; 308-52-139 Physician assistant—Registration; and 308-52-260 Examination scores.

Description of Purpose: To define the actual approval authority of physician and surgeons and physician assistants applications. Approval authority is the responsibility of the board.

Statutory Authority: RCW 18.71.017 and 18.71A.020.

Summary of Rule: WAC 308-52-136 would be amended to clarify that surgical assistants who perform certain procedures should be registered as physician assistants if not otherwise licensed or authorized to practice under state law; WAC 308-52-139 would be amended to clarify registration reinstatement eligibility for physician assistants; and WAC 308-52-260 would start the time registration on passing the physician licensure examination beginning with the June 1989 examination.

Specific Statutes Rules are Intended to Implement: RCW 18.71.070 [18.71.017], 18.71A.010 and 18.71A.040.

Reasons for Supporting Proposed Action: To ensure the safety and welfare of the citizens of Washington state.

Responsible Agency Personnel for Implementation: Linda Crerar, Acting Executive Secretary, Washington State Board of Medical Examiners, 1300 South Quince, Olympia, WA 98504, 234-2205 scan, 753-2205 comm.

Organization Proposing Rule: Washington State Board of Medical Examiners.

Agency Comments or Recommendations: None.

Rule is not necessary as a result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: None.

### AMENDATORY SECTION (Amending Order PL 285, Resolution No. 78-140, filed 3/14/78)

**WAC 308-52-136 PHYSICIANS' ASSISTANTS—SCOPE OF JURISDICTION.** (1) Chapter 18.71A RCW defines a physician's assistant as ". . . a person who is enrolled in, or who has satisfactorily completed, a board approved training program designed to prepare persons to practice medicine to a limited extent." The board will consider as falling within its jurisdiction all individuals who meet the above requirement, who assume responsibility for direct patient care involving patient contact and who are not registered, certified or licensed by another agency of the state or who are not otherwise legally authorized to perform health care services under the supervision of a physician.

(2) The board finds that the definition of physician's assistant includes unlicensed persons utilized as surgeon's assistants when engaged in any duties that constitute the practice of medicine including:

- (a) Opening and closing of patients;
- (b) Suturing tissue;
- (c) Clamping and tying blood vessels;
- (d) Tying of closing sutures in Peritoneum, Fascia, and Subcutaneous tissues;
- (e) Performing diagnostic examinations;

(f) Performing therapeutic procedures common to the surgical practice.

### AMENDATORY SECTION (Amending Order PM 782, filed 10/13/88)

**WAC 308-52-139 PHYSICIAN ASSISTANT—REGISTRATION.** (1) Classification. Each physician assistant will be classified according to the specialty or content of his or her training program.

(2) Registration procedure. Applications shall be made jointly by the physician and the assistant on forms supplied by the board. Applications and supporting documents must be on file in the board office prior to consideration for registration.

(3) Registration expiration and renewal. Physician assistant original registration will be issued to expire on the physician assistant's next birthdate. Each registered assistant and the registering physician shall be required to submit an application and fees annually for renewal of their registration at least sixty days prior to the expiration of the registration. Application for renewal shall be submitted on forms provided by the board. A physician assistant may allow his or her registration to expire for no longer than three years and reinstate it by submitting an application with all the required documents and application fee. After three years registration expiration, the physician assistant will be considered a new applicant and will have to meet all statutes and rules in effect at the time of the new application.

(4) Change of registration. In the event that a physician assistant who is currently registered desires to become associated with another physician. Application for transfer of registration shall be made on forms provided by the board.

### AMENDATORY SECTION (Amending Order PL 508, filed 1/18/85)

**WAC 308-52-260 EXAMINATION SCORES.** Examinations given by the Washington state board of medical examiners:

(a) The board adopts the examination of the federation of state licensing boards as the examination given by the board.

(b) The minimal passing scores for each component of the FLEX I and II examinations shall be seventy-five percent. An applicant who chooses to take both components of the examination in a single three day sitting must obtain a passing score on both components; or receive a passing score on the FLEX I component in order for a passing score on FLEX II to be valid. A passing score on FLEX II will not be accepted if FLEX I has not been passed.

(c) An applicant must pass both components of the examination within seven years. An applicant will be required to demonstrate evidence of completion of a remedial or refresher medical course approved by the board after three failures of a single component. Time will be calculated for this subsection beginning with the June, 1989 examination there will be no exemptions from the seven-year limitation because of failure to sit for an examination or because a remedial or refresher course was required.

(d) Applicants will be eligible to take FLEX I after completion of medical school and satisfactory verification of good standing in a board-approved postgraduate training program. FLEX II may only be taken after passing FLEX I and having completed or substantially completed the first year of postgraduate training: PROVIDED, That after completing or substantially completing one year of a board-approved postgraduate training program, an applicant has the option of taking FLEX II or taking both FLEX I and FLEX II in a single sitting.

### WSR 89-01-015 ADOPTED RULES DEPARTMENT OF LICENSING [Order PM 802—Filed December 9, 1988]

I, Mary Faulk, director of the Washington State Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to implementation of chapter 18.84 RCW.

This action is taken pursuant to Notice No. WSR 88-21-079 filed with the code reviser on October 19, 1988.

These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.84.040 which directs that the director, Department of Licensing has authority to implement the provisions of chapter 18-84 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 5, 1988.

By Mary Faulk  
Director

#### NEW SECTION

**WAC 308-183-090 DEFINITIONS—ALTERNATIVE TRAINING RADIOLOGIC TECHNOLOGISTS.** (1) Definitions. For the purposes of certifying radiologic technologists by alternative training methods the following definitions shall apply:

(a) "One quarter credit hour" equals eleven "contact hours";

(b) "One semester credit hour" equals sixteen contact hours;

(c) "One contact hour" is considered to be fifty minutes lecture time or one hundred minutes laboratory time;

(d) "One clinical year" is considered to be 1900 contact hours.

(e) "Immediate supervision" means the radiologist or nuclear medicine physician is in audible or visual range of the patient and the person treating the patient.

(f) "Direct supervision" means the supervisory clinical evaluator is on the premises, is quickly and easily available.

(g) "Indirect supervision" means the supervising radiologist or nuclear medicine physician is on site no less than half-time.

(h) "Allied health care profession" means an occupation for which programs are accredited by the American Medical Association Committee on Allied Health Education and Accreditation, Sixteenth Edition of the Allied Health Education Directory, 1988 or a previous edition.

(i) "Formal education" shall be obtained in postsecondary vocational/technical schools and institutions, community or junior colleges, and senior colleges and universities accredited by regional accrediting associations or by other recognized accrediting agencies or programs approved by the Committee on Allied Health Education and Accreditation of the American Medical Association.

(2) Clinical practice experience shall be supervised and verified by the approved clinical evaluators who must be:

(a) A certified radiologic technologist designated in the specialty area the individual is requesting certification who provides direct supervision; and

(b) A radiologist for those individuals requesting certification in practice of diagnostic radiologic technology

or therapeutic radiologic technology; or for those individuals requesting certification as a nuclear medicine technologist, a physician specialist in nuclear medicine who provides indirect supervision. The physician supervisor shall routinely critique the films and evaluate the quality of the trainees' work.

#### NEW SECTION

**WAC 308-183-100 DIAGNOSTIC RADIOLOGIC TECHNOLOGIST—ALTERNATIVE TRAINING.** An individual must possess the following alternative training qualifications to be certified as a diagnostic radiologic technologist.

(1) Have obtained a high school diploma or GED equivalent, a minimum of four clinical years supervised practice experience in radiography, and completed the course content areas outlined in subsection (2) of this section; or have obtained an associate or higher degree in an allied health care profession or meets the requirements for certification as a therapeutic radiologic technologist or nuclear medicine technologist, have obtained a minimum of three clinical years supervised practice experience in radiography, and completed course content areas outlined in subsection (2) of this section.

(2) The following course content areas of training may be obtained directly by supervised clinical practice experience: Introduction to radiography, medical ethics and law, medical terminology, methods of patient care, radiographic procedures, radiographic film processing, evaluation of radiographs, radiographic pathology, introduction to quality assurance, and introduction to computer literacy. Clinical practice experience must be verified by the approved clinical evaluators.

The following course content areas of training must be obtained through formal education: Human anatomy and physiology – 100 contact hours; principles of radiographic exposure – 45 contact hours; imaging equipment – 40 contact hours; radiation physics, principles of radiation protection, and principles of radiation biology – 40 contact hours.

(3) Must satisfactorily pass an examination approved or administered by the director.

(4) Individuals who are registered as a diagnostic radiologic technologist with the American Registry of Radiologic Technologists shall be considered to have met the alternative education and training requirements.

#### NEW SECTION

**WAC 308-183-110 THERAPEUTIC RADIOLOGIC TECHNOLOGIST—ALTERNATIVE TRAINING.** An individual must possess the following alternative training qualifications to be certified as a therapeutic radiologic technologist.

(1) Have obtained a baccalaureate or associate degree in one of the physical, biological sciences, or allied health care professions, or meets the requirements for certification as a diagnostic radiologic technologist or nuclear medicine technologist; have obtained a minimum of five clinical years supervised practice experience in therapeutic radiologic technology; and completed course content areas outlined in subsection (2) of this section.

(2) The following course content areas of training may be obtained by supervised clinical practice experience: Orientation to radiation therapy technology, medical ethics and law, methods of patient care, computer applications, and medical terminology. At least fifty percent of the clinical practice experience must have been in operating a linear accelerator. Clinical practice experience must be verified by the approved clinical evaluators.

The following course content areas of training must be obtained through formal education: Human anatomy and physiology – 100 contact hours; oncologic pathology – 22 contact hours; radiation oncology – 22 contact hours; radiobiology, radiation protection, and radiographic imaging – 73 contact hours; mathematics (college level algebra or above) – 55 contact hours; radiation physics – 66 contact hours; radiation oncology technique – 77 contact hours; clinical dosimetry – 150 contact hours; quality assurance – 12 contact hours; and hyperthermia – 4 contact hours.

(3) Must satisfactorily pass an examination approved or administered by the director.

(4) Individuals who are registered as a therapeutic radiologic technologist by the American Registry of Radiologic Technologists shall be considered to have met the alternative education and training requirements.

#### NEW SECTION

**WAC 308-183-120 NUCLEAR MEDICINE TECHNOLOGIST—ALTERNATIVE TRAINING.** An individual must possess the following alternative training qualifications to be certified as a nuclear medicine technologist.

(1) Have obtained a baccalaureate or associate degree in one of the physical, biological sciences, allied health care professions, or meets the requirements for certification as a diagnostic radiologic technologist or a therapeutic radiologic technologist; have obtained a minimum of four clinical years supervised practice experience in nuclear medicine technology; and completed course content areas outlined in subsection (2) of this section.

(2) The following course content areas of training may be obtained by supervised clinical practice experience: Methods of patient care, computer applications, department organization and function, nuclear medicine in-vivo and in-vitro procedures, and radionuclide therapy. Clinical practice experience must be verified by the approved clinical evaluators.

The following course content areas of training must be obtained through formal education: Radiation safety and protection – 10 contact hours; radiation biology – 10 contact hours; nuclear medicine physics and radiation physics – 80 contact hours; nuclear medicine instrumentation – 22 contact hours; statistics – 10 contact hours; radionuclide chemistry and radiopharmacology – 22 contact hours.

(3) Must satisfactorily pass an examination approved or administered by the director.

(4) Individuals who are registered as a nuclear medicine technologist with the American Registry of Radiologic Technologists or with the nuclear medicine technology certifying board shall be considered to have met the alternative education and training requirements.

#### NEW SECTION

**WAC 308-183-130 APPROVED SCHOOLS.** Approved schools and standards of instruction for diagnostic radiologic technologist, therapeutic radiologic technologist, and nuclear medicine technologist are those recognized as radiography, radiation therapy technology, and nuclear medicine technology educational programs that have obtained accreditation from the Committee on Allied Health Education and Accreditation of the American Medical Association as recognized in the publication *Allied Health Education Directory*, Sixteenth Edition, published by the American Medical Association, 1988 or any previous edition.

#### NEW SECTION

**WAC 308-183-140 CERTIFICATION DESIGNATION.** A certificate shall be designated in a particular field of radiologic technology by:

(1) The educational program completed; diagnostic radiologic technologist – radiography program; therapeutic radiologic technologist – radiation therapy technology program; and nuclear medicine technologist – nuclear medicine technology program; or

(2) By meeting the alternative training requirements established in WAC 308-183-100, 308-183-110, or 308-183-120.

#### NEW SECTION

**WAC 308-183-150 CERTIFICATION RENEWAL REGISTRATION DATE.** (1) Individuals receiving initial certification will be issued a certificate to expire on their next birth date.

(2) Certifications shall be renewed upon a biennial basis on or before the individual's birth date. Certifications not renewed on or before the individual's biennial birth date shall expire immediately. Any representation engaged in after a certification has expired shall be deemed unauthorized representation.

#### NEW SECTION

**WAC 308-183-160 REINSTATEMENT FEE ASSESSMENT.** A certificate which has lapsed for three years may be reinstated by paying a reinstatement fee and demonstrating competence by the standards established by the director. A single reinstatement fee shall be assessed for the lapsed certification period.

#### NEW SECTION

**WAC 308-183-170 CONTRAST MEDIA ADMINISTRATION GUIDELINES.** A certified radiologic diagnostic technologist may administer radiopaque diagnostic agents under the direction and immediate supervision of a radiologist if the following guidelines are met:

(1) The radiologic technologist has had the prerequisite training and thorough knowledge of the particular procedure to be performed;

(2) Appropriate facilities are available for coping with any complication of the procedure as well as for emergency treatment of severe reactions to the contrast agent itself, including the ready availability of appropriate resuscitative drugs, equipment, and personnel; and

(3) After parenteral administration of a radiopaque agent, competent personnel and emergency facilities shall be available for at least thirty minutes in case of a delayed reaction.

#### NEW SECTION

**WAC 308-183-180 FEES—RADIOLOGIC TECHNOLOGISTS.** The figures below are the fees to be charged radiologic technologists to cover the costs of the program.

Application	\$ 50.00
Duplicate License	15.00
Verification/Certification	25.00
Renewal	50.00
Late Renewal Penalty	25.00

#### NEW SECTION

**WAC 308-183-190 STATE EXAMINATION/EXAMINATION WAIVER/EXAMINATION APPLICATION DEADLINE.** (1) The American Registry of Radiologic Technologists certification examinations for radiography, radiation therapy technology, and nuclear medicine technology shall be the state examinations for certification as a radiologic technologist.

(a) The examination for certification as a radiologic technologist shall be conducted three times a year in the state of Washington, in March, July, and October.

(b) The examination shall be conducted in accordance with the American Registry of Radiologic Technologists security measures and contract.

(c) Examination candidates shall be advised of the results of their examination in writing.

(2) Applicants taking the state examination must submit the application, supporting documents, and fees to the department of licensing no later than the fifteenth day of December, for the March examination; the fifteenth day of April, for the July examination; and the fifteenth day of July, for the October examination.

(3) A scaled score of seventy-five is required to pass the examination.

**WSR 89-01-016  
EMERGENCY RULES  
COUNCIL ON HEARING AIDS**  
[Order PM 803—Filed December 9, 1988]

Be it resolved by the Washington State Council on Hearing Aids, that it does adopt the annexed rules relating to examinations, amending WAC 308-50-010.

We, the Washington State Council on Hearing Aids, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is WAC 308-50-010 is incorrect as to the contents of the examination. The next examination is January 10, 1989, and it is necessary to correct the errors before that date.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 18.35.161(4) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 7, 1988.

By Roger Stimbert  
Chairperson

#### AMENDATORY SECTION (Amending Order PM 654, filed 6/26/87)

**WAC 308-50-010 EXAMINATIONS.** (1) The examination required of applicants shall be in ((two)) three parts: ((Written and practical, each consisting of several sections. PROVIDED, That effective with the July 1988 examination, the examination shall be in two parts:)) One written and two practical.

(2) The ((minimum passing grade for each section shall be seventy percent with the minimum average grade of seventy-five percent for each part before an applicant shall be considered to have satisfactorily passed the required examination for licensure. PROVIDED, That effective with the July 1988 examination, the)) minimum passing grade shall be seventy percent for each part to pass the required examination for licensure.

(3) In addition to those subjects listed in RCW 18-35.070, the examination shall test the knowledge of the applicant in the basic act governing hearing aid fitter/dispensers and rules and regulations promulgated pursuant to this act.

(4) Applications for examination shall be received by the department at least sixty days prior to the date of the scheduled examination. If the application is received less than sixty days before the next scheduled examination, the applicant will be scheduled for the second examination following receipt of the application.

**WSR 89-01-017****ADOPTED RULES****CHIROPRACTIC DISCIPLINARY BOARD**

[Order PM 806—Filed December 9, 1988—Eff. February 1, 1989]

Be it resolved by the Chiropractic Disciplinary Board, acting at Tukwila, Washington, that it does adopt the annexed rules relating to:

New	WAC 113-12-101	Billing.
New	WAC 113-12-103	Radiographic standards.
New	WAC 113-12-220	"Records and x-rays and withdrawal from practice"—Maintenance and retention of patient records.
New	WAC 113-12-230	Duties of a chiropractor who retires or withdraws from practice.
Rep	WAC 113-12-100	Billing.

This action is taken pursuant to Notice No. WSR 88-19-074 filed with the code reviser on September 19, 1988. These rules shall take at a later date, such date being February 1, 1989.

This rule is promulgated pursuant to RCW 18.26.110 which directs that the Chiropractic Disciplinary Board has authority to implement the provisions of chapter 18-26 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** November 3, 1988.  
By John W. Day D.C.  
Chairman

**NEW SECTION**

**WAC 113-12-101 BILLING.** (1) A chiropractor shall bill for examination, adjustment, or other therapeutic services utilizing the levels of service described below. When necessity is substantiated by documented subjective complaints, if any, objective findings, and when not a routine part of the chiropractor's examination or treatment procedures, board-approved chiropractic procedures which are preparatory to and/or complementary to the adjustment may be used in combination with the adjustment, or when adjustment is precluded by adequate clinical justification.

A chiropractor whose billing does not conform to these specified levels of service, or whose case records do not contain adequate documentation of subjective complaints, if any, objective findings to justify the level and type of service billed for, shall be considered engaging in unprofessional conduct.

(a) **Complementary procedures defined:** Those chiropractic services, performed by or at the direction of the chiropractor, which initiate or complete the process intended to normalize joint function, decrease muscle spasm, reduce edema or inflammation, increase joint mobility, increase soft tissue flexibility, reduce pain, and maximize the integrity of the fibrosis of repair.

Complementary procedures shall include the application of manual spinal traction, massage, neuromuscular

rehabilitation, muscle stretch techniques, fitting of necessary spinal orthoses, heel lifts, and/or manual muscle goading techniques including trigger point therapy and transverse friction massage.

(b) **Preparatory procedures defined:** Those chiropractic services, which may not require the attendance of the chiropractor or his assistant, which induce local or general relaxation, decrease muscle spasm, increase circulation, reduce edema or inflammation, and in other ways prepare the patient.

Preparatory procedures shall include the application of spinal traction, intersegmental mobilization, heat, light, and/or cold.

(c) **Complementary teaching procedures defined:** Those complementary chiropractic teaching services, performed by or at the direction of the chiropractor, which train the patient in proper or improved methods of performing activities of work, posture, ambulation, or daily living.

Complementary teaching procedures shall include dietary advice, gait training, posture training, exercise training, body mechanics, ergonomic considerations, or instruction in the activities of daily living.

(2) The necessity and rationale for examination, x-rays, or other diagnostic procedures, must be supported by documentation in the patient record of subjective complaints, if any, objective findings and assessment.

(3) **Levels of service for chiropractic care:**

(a) **Brief level of service.** A level of service requiring documentation of an abbreviated history and/or examination supported by subjective complaint, if any, objective findings, the assessment, and plan for care. This level of service may consist of interprofessional or intraprofessional consultation regarding the assessment and care of the patient. When adjustment is precluded by adequate clinical justification, preparatory procedures may be applied in the absence of an adjustment and billed at this level of service. Complementary teaching procedures may be applied and billed at this level of service.

(b) **Limited level of service – (i.e., routine).** A level of service pertaining to the evaluation of a circumscribed acute condition or the periodic reevaluation of an existing condition, with an interval history, examination, review of past care effectiveness, appropriate tests, and modification of plan for care, as indicated and supported by documentation of subjective complaints, if any, objective findings, and assessment. This level of service shall include a chiropractic spinal adjustment, unless the adjustment is precluded by adequate clinical justification. Complementary procedures (which may be accompanied by preparatory procedures) may be applied in the absence of an adjustment and billed at this level of service.

(c) **Intermediate level of service.** A level of service pertaining to the evaluation of a new or existing condition, complicated with a new diagnostic or management problem not necessarily relating to the primary diagnosis, that necessitates obtaining and/or evaluation of pertinent history, physical findings, diagnostic tests and procedures, and/or the application of the appropriate therapeutic management as indicated and supported by

documentation of subjective complaints, if any, objective findings, and assessment; or a formal patient or family conference regarding patient chiropractic management, progress, and plan. This level of service may include the application of preparatory chiropractic procedures performed in addition to a chiropractic spinal adjustment.

(d) Extended level of service. A level of service requiring an unusual amount of effort or judgment which may include detailed history, review of recorded records, examination, and/or a formal conference with patient or family, to determine the need for care, and is supported by documentation of subjective complaints, if any, objective findings, assessment, and plan for care. This level of service may include the application of complementary and/or complementary teaching chiropractic procedures, performed in addition to a chiropractic spinal adjustment.

(e) Comprehensive level of service. A level of service providing an in-depth evaluation of a patient with a new or existing problem requiring the complete evaluation of chiropractic and other health data. This procedure may include the documentation of chief complaints, present conditions, family history, past health history, a complete chiropractic examination, to include neurologic and orthopedic findings, appropriate tests and procedures, and documentation of assessment and plan for care.

#### NEW SECTION

**WAC 113-12-103 RADIOGRAPHIC STANDARDS.** The following requirements for chiropractic x-ray have been established because of concerns about over-radiation and unnecessary x-ray exposure.

(1) The following should appear on the films:

- (a) Patient's name and age;
- (b) Doctor's name, facility name, and address;
- (c) Date of study;
- (d) Left or right marker;
- (e) Other markers as indicated;
- (f) Adequate collimation;
- (g) Gonad shielding, where applicable.

(2) Minimum of A/P and lateral views are necessary for any regional study unless clinically justified.

(3) As clinical evidence indicates, it may be advisable to produce multiple projections where there is an indication of possible fracture, significant pathology, congenital defects, or when an individual study is insufficient to make a comprehensive diagnosis/analysis.

(4) Each film should be of adequate density, contrast, and definition, and no artifacts should be present.

(5) The subjective complaints, if any, and the objective findings substantiating the repeat radiographic study must be documented in the patient record.

(6) These rules are intended to complement and not supersede those rules adopted by the radiation control agency set forth in chapter 402-28 WAC, Use of x-rays in the healing arts.

#### NEW SECTION

**WAC 113-12-220 "RECORDS AND X-RAYS AND WITHDRAWAL FROM PRACTICE"—**

**MAINTENANCE AND RETENTION OF PATIENT RECORDS.** (1) Any chiropractor who treats patients in the state of Washington shall maintain all treatment records regarding patients treated. These records may include, but shall not be limited to treatment plans, patient charts, patient histories, correspondence, financial data, and billing. These records shall be retained by the chiropractor for five years in an orderly, accessible file and shall be readily available for inspection by the chiropractic disciplinary board or its authorized representative: PROVIDED, That x-rays or copies of records may be forwarded pursuant to a licensed agent's written request. Also, office records shall state the date on which the records were released, method forwarded and to whom, and the reason for the release. A reasonable fee may be charged the patient to cover mailing and clerical costs.

(2) A chiropractor shall honor within fifteen days a written request from an adult patient or their legal representative or that of a minor child to release original x-rays on a loan basis to other licensed health care providers or the chiropractor may provide duplicate films and may charge the patient reasonable duplication costs. Once the original films have been loaned at patient request, the chiropractor is no longer responsible for them, nor for their retrieval of subsequent production.

A chiropractor who has received original x-rays on a loan basis shall return them to the loaning chiropractor within sixty days unless other arrangements are made.

#### NEW SECTION

**WAC 113-12-230 DUTIES OF A CHIROPRACTOR WHO RETIRES OR WITHDRAWS FROM PRACTICE.** Any chiropractor who ceases practice in his or her community for any reason, including retirement, illness, disability, or relocation shall comply with the following duties:

(1) The chiropractor shall notify all current patients that he or she will not be able to provide chiropractic services and shall notify the patient to seek another chiropractor to continue their care.

(2) The chiropractor shall offer to deliver to the patient, or to another chiropractor or licensed health care professional chosen by the patient, the originals or copies of all patient examination and treatment records and x-rays or notify the patient of a community area location where the records and x-rays will be maintained and accessible for at least one year after the notice is sent to the patient.

(3) The chiropractor shall refund any part of fees paid in advance that have not been earned.

(4) The board requests that the executor or executrix of a deceased chiropractor comply with the duties set forth herein to the fullest extent possible. The board staff will provide advice and assistance to such executor or executrix upon request.

(5) For the purpose of this section, any relocation or restriction of practice which substantially interferes with a patient's reasonable access to his or her chiropractor should be cause for the chiropractor to comply with the duties set forth.

(6) Willful failure to comply with this section shall be cause to suspend a chiropractor's license until the required duties are fulfilled.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 113-12-100 BILLING.

### WSR 89-01-018

#### NOTICE OF PUBLIC MEETINGS PROSSER MEMORIAL HOSPITAL

[Memorandum—December 12, 1988]

Meetings of the Prosser Public Hospital District Board of Commissioner – 1988 [1989]

Time	Date	Place
6:30 p.m.	1/25/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	2/22/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	3/29/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	4/26/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	5/31/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	6/28/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	7/26/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	8/30/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	9/27/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	10/25/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	11/29/89	J.G. Wood Room, Prosser Hospital
6:30 p.m.	12/27/89	J.G. Wood Room, Prosser Hospital

### WSR 89-01-019

#### NOTICE OF PUBLIC MEETINGS EDMONDS COMMUNITY COLLEGE

[Memorandum—December 12, 1988]

Thursday, December 15, 1988  
Lynnwood Hall, Room 424

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

### WSR 89-01-020

#### PROPOSED RULES

#### ATTORNEY GENERAL'S OFFICE

[Filed December 12, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Attorney General intends to adopt, amend, or repeal rules concerning chapter 19.118 RCW, amending WAC 44-10-120 Withdrawal;

that the agency will at 10:00 a.m., Friday, January 27, 1989, in the 13th Floor Conference Room, Dexter

Horton Building, Seattle, Washington 98104, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 19.118.080, 19.118.090 and chapter 19.118 RCW.

The specific statute these rules are intended to implement is RCW 19.118.080 and 19.118.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 25, 1989.

Dated: December 9, 1988

By: Karl Boettner  
Assistant Attorney General

### STATEMENT OF PURPOSE

Name of Agency: Washington State Attorney General's Office.

Title: WAC 44-10-120 Withdrawal.

Description of Purpose: To implement chapter 19.118 RCW and to provide procedures for consumer withdrawal from the arbitration process.

Statutory Authority: RCW 19.118.080, 19.118.090 and chapter 19.118 RCW.

Summary of Rules: WAC 44-10-120 establishes procedures for consumer withdrawal from the arbitration process.

Responsible Personnel: In addition to the Attorney General, the following persons have knowledge of and responsibility for drafting, implementing and enforcing these rules: Sally Sterling, Administrator, 710 2nd Avenue, Suite 1300, Seattle, WA 98104, (206) 587-4289; and Karl R. Boettner, Assistant Attorney General, 710 2nd Avenue, Suite 1300, Seattle, WA 98104, (206) 464-6708.

Proponents: The Office of the Attorney General.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required.

### AMENDATORY SECTION (Amending Order 87-4, filed 12/22/87)

WAC 44-10-120 WITHDRAWAL. ((+)) A consumer may withdraw a request for arbitration at any time((:)).

((a)) A withdrawal ((requested at least three business days prior to the scheduled hearing)) shall be granted without prejudice, although upon withdrawal, the thirty month statute of limitations shall resume running. A consumer who has withdrawn may resubmit the claim for arbitration. However, if the consumer withdraws the second request, the withdrawal shall be considered a withdrawal with prejudice((, with the same effect as a withdrawal under WAC 44-10-120 (+)(b)).

((b)) A withdrawal requested less than three business days prior to the scheduled hearing shall be granted with prejudice)) and the consumer shall not be allowed to resubmit the claim for arbitration.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 89-01-021**  
**EMERGENCY RULES**  
**ATTORNEY GENERAL'S OFFICE**  
[Order 88-10—Filed December 12, 1988]

I, Kenneth O. Eikenberry, Attorney General of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to withdrawal, amending WAC 44-10-120.

I, Kenneth O. Eikenberry, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is chapter 19.118 RCW went into effect January 1, 1988, providing arbitration hearings for new motor vehicle owners. This rule is necessary for proper conduct of such arbitration hearings.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 19.118-080 which directs that the Attorney General's Office has authority to implement the provisions of chapter 19.118 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 12, 1988.

By Kenneth O. Eikenberry  
Attorney General of Washington

**AMENDATORY SECTION** (Amending Order 87-4, filed 12/22/87)

**WAC 44-10-120 WITHDRAWAL.** ((1)) A consumer may withdraw a request for arbitration at any time((;)).

((a)) A withdrawal ((requested at least three business days prior to the scheduled hearing)) shall be granted without prejudice, although upon withdrawal, the thirty month statute of limitations shall resume running. A consumer who has withdrawn may resubmit the claim for arbitration. However, if the consumer withdraws the second request, the withdrawal shall be considered a withdrawal with prejudice((, with the same effect as a withdrawal under WAC 44-10-120 (1)(b)).

(b) A withdrawal requested less than three business days prior to the scheduled hearing shall be granted with prejudice)) and the consumer shall not be allowed to resubmit the claim for arbitration.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 89-01-022**  
**ADOPTED RULES**  
**LOTTERY COMMISSION**  
[Order 113—Filed December 12, 1988]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

New	WAC 315-11-380	Definitions for Instant Game Number 38 ("Jackpot").
New	WAC 315-11-381	Criteria for Instant Game Number 38.
New	WAC 315-11-382	Ticket validation requirements for Instant Game Number 38.
New	WAC 315-11-390	Definitions for Instant Game Number 39 ("Centennial Cash").
New	WAC 315-11-391	Criteria for Instant Game Number 39.
New	WAC 315-11-392	Ticket validation requirements for Instant Game Number 39.

This action is taken pursuant to Notice No. WSR 88-21-114 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 67.70.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 2, 1988.

By Scott Milne  
Deputy Director

**NEW SECTION**

**WAC 315-11-380 DEFINITIONS FOR INSTANT GAME NUMBER 38 ("JACKPOT").** (1) Play symbols: The following are the "play symbols": "¤"; "★"; "Δ"; "○"; "§"; and "=". One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 38, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
¤	CHRY
★	STAR
Δ	BELL
○	ORNG
§	SVEN
=	BARR

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The ten-digit number of the form 3800001-000 printed on the front of the ticket. The first two digits are the game identifier. The first

seven digits of the pack-ticket number for Instant Game Number 38 constitute the "pack number" which starts at 3800001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 38, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The agent verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FOR	\$4.00
TEN	10.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

#### NEW SECTION

**WAC 315-11-381 CRITERIA FOR INSTANT GAME NUMBER 38.** (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three	play symbols - Win \$ 1.00
Three	play symbols - Win \$ 2.00
Three	play symbols - Win \$ 4.00
Three	play symbols - Win \$ 10.00
Three	play symbols - Win \$ 50.00
Three	play symbols - Win \$ 500

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 38 set forth in WAC 315-11-382, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 38 and/or

(b) Vary the number of tickets sold in Instant Game Number 38 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

#### NEW SECTION

**WAC 315-11-382 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 38.** (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 38 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Positive Archer Font
Captions	Positive 5 x 9 Font
Pack-Ticket Number	Positive 9 x 12 Font
Validation Number	Positive 9 x 12 Font
Retailer Verification Code	Positive Archer Font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-380(1) and each of the captions must be exactly one of those described in WAC 315-11-380(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

#### NEW SECTION

**WAC 315-11-390 DEFINITIONS FOR INSTANT GAME NUMBER 39 ("CENTENNIAL CASH").** (1) Play symbols: The following are the "play symbols": "\$1.00"; "10.00"; "\$100\$"; and "\$1000". One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 39, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
10.00	TEN DOL
\$100\$	ONE HUN
\$1000	ONE THOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The ten-digit number of the form 3900001-000 printed on the front of the ticket. The first two digits are the game identifier. The first seven digits of the pack-ticket number for Instant Game Number 39 constitute the "pack number" which starts at 3900001; the last three digits constitute the "ticket

number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 39, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The agent verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TEN	10.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

#### NEW SECTION

WAC 315-11-391 CRITERIA FOR INSTANT GAME NUMBER 39. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three	\$1.00 play symbols - Win	\$ 1.00
Three	10.00 play symbols - Win	\$ 10.00
Three	\$100\$ play symbols - Win	\$ 100
Three	\$1000 play symbols - Win	\$ 1000

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 39 set forth in WAC 315-11-392, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 39 and/or

(b) Vary the number of tickets sold in Instant Game Number 39 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(6) At the discretion of the director, there may be a bonus drawing held in conjunction with the Instant Game Number 39, however, this bonus drawing shall not be part of or included in the Instant Game Number 39 prize structure. It will be conducted at a time and place and pursuant to procedures to be established and announced by the director. The prizes awarded at the

bonus drawing will be at least thirty (30) overnight vacations in the state of Washington.

(a) To be eligible for entry into the bonus drawing, an entrant must:

(i) Be eligible to win a prize pursuant to chapter 67-70 RCW and Title 315 WAC.

(ii) Collect four non-winning tickets, each ticket depicting a different geographic location. Non-winning tickets must be from Instant Game Number 39, Centennial Cash.

(iii) Write or print legibly, the entrant's name, address, and telephone number on the one or more non-winning tickets or on a separate sheet of paper. An entry containing more than one name shall be disqualified.

(iv) Place the non-winning tickets in an envelope. An envelope which contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(v) Mail the envelope with proper postage and a legible return address of the entrant to the address specified on the player's brochure or deliver it in person during normal business hours to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(b) There is no limit to the number of entries a person may submit, but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above.

(c) An entry which contains one or more stolen tickets may be disqualified by the director.

(d) A non-conforming entry, at the sole discretion of the director, may be disqualified.

(e) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the lottery. All mail not drawn will be incinerated unopened.

(f) The lottery shall not be responsible for, nor place in the bonus drawing, any entries mailed or delivered to the wrong address.

#### NEW SECTION

WAC 315-11-392 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 39. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 39 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Positive Archer Font
Captions	Positive 5 x 9 Font
Pack-Ticket Number	Positive 9 x 12 Font
Validation Number	Positive 9 x 12 Font
Retailer Verification Code	Positive Archer Font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-390(1) and each of the captions must be exactly one of those described in WAC 315-11-390(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 10, 1989.

This notice is connected to and continues the matter in Notice Nos. WSR 88-21-041 and 88-21-042 filed with the code reviser's office on October 12, 1988.

Dated: December 12, 1988  
By: Leonard Nord  
Secretary

### WSR 89-01-023

#### PROPOSED RULES

#### DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed December 12, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning Compensation plan—Fiscal impact, amending WAC 356-14-062;

that the agency will at 10:00 a.m., Thursday, January 12, 1989, in the Board Hearings Room, Department of Personnel, 521 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 10, 1989.

This notice is connected to and continues the matter in Notice No. WSR 88-22-052 filed with the code reviser's office on November 1, 1988.

Dated: December 12, 1988

By: Leonard Nord  
Secretary

### WSR 89-01-025

#### PROPOSED RULES

#### DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed December 12, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 356-42-020 Determination of bargaining unit.

Amd WAC 356-42-055 Arbitration—Grievance—Procedure.

Rep WAC 356-42-105 Requests for arbitration;

that the agency will at 10:00 a.m., Thursday, January 12, 1989, in the Board Hearings Room, Department of Personnel, 521 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 10, 1989.

This notice is connected to and continues the matter in Notice No. WSR 88-22-066 filed with the code reviser's office on November 2, 1988.

Dated: December 12, 1988

By: Leonard Nord  
Secretary

### WSR 89-01-024

#### PROPOSED RULES

#### DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed December 12, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 356-15-090 Schedule change and compensation.

Amd WAC 356-14-240 Overtime compensation method.

Amd WAC 356-15-080 Standby compensation;

that the agency will at 10:00 a.m., Thursday, January 12, 1989, in the Board Hearings Room, Department of Personnel, 521 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

### WSR 89-01-026

#### NOTICE OF PUBLIC MEETINGS

#### PARKS AND RECREATION COMMISSION

[Memorandum—December 12, 1988]

The following is the schedule for the 1989 regular meetings of the Washington State Parks and Recreation Commission:

January 27  
March 3

Olympia  
Tacoma

April 7	Long Beach
May 19	Goldendale
July 14	Orcas Island/ San Juans
September 15	Wenatchee
October 27	Spokane
December 8	Seattle

All meetings will begin at 9:00 a.m. on the day scheduled, except the April meeting which will begin at 6:30 p.m. With the exception of the January meeting, exact meeting locations are yet undetermined. The January meeting will be held at the Olympia City Council Chambers, 900 Plum S.E., Olympia, Washington.

Locations for the next regular meeting will be announced at the close of each regular meeting, and may also be obtained thereafter by writing to the director at the address shown below, or by calling (206) 753-5758.

In accordance with Executive Order 83-19, meeting sites will be selected which are barrier free to the greatest extent feasible. Brailled or taped agenda items for the visually impaired, and interpreters for those with hearing impairment will be provided if requested with adequate notice. Such requests should usually be made at least ten working days in advance of the scheduled meeting date, and should be addressed to:

Director  
Washington State Parks and  
Recreation Commission  
7150 Cleanwater Lane  
Olympia, WA 98504-5711

**WSR 89-01-027**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[December 9, 1988]

IN THE MATTER OF  
RPC 1.14 COMMENT

NO. 25700-A-428  
ORDER

The Court having considered the proposed comment to RPC 1.14 and having determined that adoption of the comment will aid in the prompt and orderly administration of justice and having further determined that an emergency exists which necessitates an early adoption; Now, therefore, it is hereby

**ORDERED:**

- (a) That the comment as attached hereto is adopted.
- (b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously in the Washington Reports and will be effective upon publication.

DATED at Olympia, Washington this 9th day of December, 1988.

Vernon R. Pearson

Chief Justice

**COMMENT RPC 1.14**

Escrow or other funds incident to the closing of real or personal property transactions are subject to this rule regardless of whether the lawyer views the funds as belonging to clients.

**WSR 89-01-028**

**NOTICE OF PUBLIC MEETINGS**  
**INTERAGENCY COMMITTEE**  
**FOR OUTDOOR RECREATION**

[Memorandum—December 12, 1988]

At its November 3-4, 1988, IAC meeting, the Interagency Committee for Outdoor Recreation approved the following 1989 meeting schedule:

March 23-24, 1989	Thurs-Fri	Olympia – Tyee Motor Inn Coho Annex, Tumwater Washington
July 20-21, 1989	Thurs-Fri	Place to be determined

November 2-3, 1989 Thurs-Fri

Olympia

**WSR 89-01-029**

**NOTICE OF PUBLIC MEETINGS**  
**TACOMA COMMUNITY COLLEGE**

[Memorandum—December 8, 1988]

The dates for the meetings of the board of trustees of Tacoma Community College District 22 for 1989 are as follows:

January 12
February 9
March 9
April 13
May 11
June 8
July 13
August 10
September 14
October 12
November 9
December 14

**WSR 89-01-030**

**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**ASIAN AMERICAN AFFAIRS**

[Memorandum—December 9, 1988]

The following schedule for 1989 regular meetings of the Washington State Commission on Asian American Affairs is hereby submitted for publication in the Washington State Register:

January 14	Seattle
March 25	Tacoma
June 17	Yakima
September 16	Spokane
November 4	Everett

All meetings will begin at 9:30 a.m. on the day scheduled, however, exact meeting locations are as yet undetermined.

**WSR 89-01-031**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGES**  
[Memorandum—December 8, 1988]

The board of trustees of Seattle Community College District, which regularly meets on the first Tuesday of each month at 6:00 p.m., has scheduled the following meetings for 1989.

January 3, 1989	NSCC	Canceled
February 7, 1989	SCCC	
March 7, 1989	SSCC	
April 4, 1989	NSCC	
May 2, 1989	SCCC	
June 6, 1989	SSCC	
July 11, 1989*	SCCD	

\*Since the regularly scheduled meeting would fall on the July 4 holiday, this meeting has been scheduled for the following week.

Seattle Community College District (SCCD)  
1500 Harvard  
Seattle, WA 98122

North Seattle Community College (NSCC)  
9600 College Way North  
Seattle, WA 98103

Seattle Central Community College (SCCC)  
701 Broadway  
Seattle, WA 98122

South Seattle Community College (SSCC)  
6000 16th Avenue S.W.  
Seattle, WA 98106

**WSR 89-01-032****NOTICE OF PUBLIC MEETINGS**

**DEPARTMENT OF NATURAL RESOURCES**  
(Natural Heritage Advisory Council)  
[Memorandum—December 13, 1988]

During 1989, the Natural Heritage Advisory Council will meet on the following dates:

January 11, 1989  
9:30 a.m. to 5:00 p.m.  
North Thurston School District  
Administrative Center  
Board Room  
305 College Street N.E.  
Lacey, WA

March 29, 1989  
9:30 a.m. to 5:00 p.m.  
North Thurston School District  
Administrative Center  
Room 160  
305 College Street N.E.  
Lacey, WA

May 24, 1989  
9:30 a.m. to 5:00 p.m.  
Padilla Bay National Estuarine  
Research Reserve  
Breezeale – Padilla Bay  
Interpretive Center  
1043 Bayview–Edison Road  
Mt. Vernon, WA

October 11, 1989  
9:30 a.m. to 5:00 p.m.  
Eastern Washington University  
(room to be announced)  
Cheney, WA

Regular council business will include consideration of natural area preserve recommendations and management activities relating to natural area preserves.

For further information contact:

Department of Natural Resources  
Washington Natural Heritage Program  
Division of Land and Water Conservation  
Mailstop EX-13  
Olympia, WA 98504  
(206) 753-2449

**WSR 89-01-033**  
**ADOPTED RULES**  
**DEPARTMENT OF REVENUE**  
[Order 88-8—Filed December 13, 1988]

I, Garry G. Fujita, assistant director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to mobile homes and mobile home park fees, new section WAC 458-20-253.

This action is taken pursuant to Notice No. WSR 88-22-087 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 82.32.300.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 13, 1988.

By Garry G. Fujita  
Assistant Director

**NEW SECTION****WAC 458-20-253 MOBILE HOMES AND MOBILE HOME PARK FEES (1) DEFINITIONS.**

(a) "Landlord" means the owner of a mobile home park and includes the agents of the owner.

(b) "Lot" means a portion of a mobile home park designated as the location for one mobile home and its accessory buildings, and intended for the exclusive use by the occupants of that mobile home as a primary residence.

(c) "Mobile home" means a structure, transportable in one or more sections, which is thirty-two body feet or more in length and is eight body feet or more in width and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. The term includes the plumbing, heating, air-conditioning, and electrical systems contained within the structure. It does not include modular homes.

(d) "Mobile home park" means any real property which is rented or held out for rent for the placement of two or more mobile homes for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal, recreational purposes only and is not intended for continuous occupancy.

(e) "Tenant" means a person who rents a lot for a term of one month or longer, and who owns the mobile home on the lot.

(f) "Used mobile home as defined in RCW 82.45.032" means a mobile home which has been previously sold at retail and has been subjected to sales tax, or which has been previously used and has been subjected to use tax, and which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, and other utilities.

(2) SALES BY DEALERS OR SELLING AGENTS. Dealers or selling agents applying for new certificates of ownership for mobile homes they have sold must remit the sales tax on such sales to the county auditor or the department of licensing at the time of application.

(a) County auditors and the department of licensing must collect sales tax on these transactions unless the mobile home dealer or selling agent presents a written statement signed by the department of revenue or its duly authorized agent showing that no sales tax or use tax is due.

(b) The application for a new certificate of ownership must state the selling price paid for the mobile home. The selling price does not include the value of trade-in property of like kind. See WAC 458-20-247.

(c) Dealers and selling agents remitting sales tax to county auditors or the department of licensing should report the income from such sales on their combined excise tax returns and take a sales tax deduction in the amount of sales tax so remitted.

(d) Where sales tax on the purchase of a mobile home has been remitted to a county auditor or the department of licensing and the purchaser believes that sales tax was not legally due, such purchaser may apply for a refund directly from the department of revenue. The application for refund must be received by the department of revenue within four years from payment of the tax. If the application for refund is denied the purchaser may seek

a refund in accordance with the procedures described in WAC 458-20-100.

(3) USED MOBILE HOMES.

(a) Sales tax. Sales tax does not apply to the sale of used mobile homes as defined in RCW 82.45.032.

(b) Use Tax. Use tax does not apply to the use of used mobile homes as defined in RCW 82.45.032.

(4) RENTAL OR LEASE OF MOBILE HOMES. Sales tax does not apply to the rental or lease of mobile homes if the rental agreement or lease exceeds thirty days in duration and if the rental or lease is not in conjunction with the provision of short term lodging for transients.

(5) MOBILE HOME PARK FEES.

(a) Duties of landlords.

(i) Landlords, as defined in subdivision (1)(a) of this section, must register with the department of revenue for purposes of the mobile home park fees imposed in RCW 59.22.060.

(ii) Landlords must themselves pay a fee of one dollar per year for each lot within the mobile home park, whether rented or not.

(iii) In addition, landlords must, on January 1 of each year, collect from each tenant, as defined in subdivision (1)(e) of this section, a fee of one dollar for each lot rented to that tenant on that date.

(iv) Landlords must remit both fees to the department of revenue by January 31 of each year. The fee collected by landlords from tenants shall be deemed to be held in trust by the landlord until paid to the department of revenue. Any landlord who converts the fee collected to its own use shall be guilty of a gross misdemeanor.

(b) Duties of tenants. Tenants must, on January 1 of each year, pay a fee of one dollar to their landlord for each lot rented.

(c) Failure to collect fee. If a landlord fails to collect the fee from a tenant, whether or not such failure is due to circumstances beyond the landlord's control, the landlord is liable to the department for the tenant's fee.

(6) REGISTRATION FOR MOBILE HOME PARKS. Landlords who are registered with the department of revenue for excise tax purposes need not submit a separate registration. Landlords who are not otherwise registered with the department of revenue must register by means of the Master Business Application. There is no cost for registering solely for purposes of reporting the mobile home park fees. A registration remains valid for as long as the landlord owns the mobile home park. The department of revenue will provide registered landlords with returns for reporting the mobile home park fees.

**WSR 89-01-034  
ADOPTED RULES  
PARKS AND RECREATION COMMISSION**  
[Order 108—Filed December 13, 1988]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to use of nonmotorized cycles or similar devices in state parks, WAC 352-32-075.

This action is taken pursuant to Notice No. WSR 88-22-053 filed with the code reviser on November 1, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Parks and Recreation Commission as authorized in RCW 43.51-.040 and 43.51.060.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED December 9, 1988.**

By Dick Dixon  
Vice Chair  
for Edward T. Luders  
Chair

#### NEW SECTION

**WAC 352-32-075 USE OF NONMOTORIZED CYCLES OR SIMILAR DEVICES IN STATE PARKS.** (1) Whenever used in this section, nonmotorized cycle or similar device shall be defined as any wheeled, operator-propelled equipment which transports the operator on land, except all wheelchairs, to include but not be limited to unicycles, bicycles, tricycles, quadcycles, scooters, and skateboards.

(2) Operation of nonmotorized cycles or similar devices shall be permitted upon roads and trails in state parks or state park areas, except:

(a) Where posted with prohibitory signing by approval of the director or designee. Prior to such posting, a public meeting shall be advertised and conducted in the region where the park is located. A closure decision shall be based on an evaluation of the degree of conflict with other park users, public safety, or damage to park resources and/or facilities related to these devices.

(b) Off public roads within designated "natural areas," "natural forest areas," or "natural area preserves."

(c) Upon designated special use trails such as interpretive or exercise trails.

(d) Upon docks, piers, floats, and connecting ramps.

(3) Persons operating such devices in state parks and state park areas shall:

(a) Obey regulatory signs.

(b) Restrict speed and manner of operation to reasonable and prudent practices relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety, and the safety of all other park visitors.

(c) Yield the right of way to pedestrians.

(d) Dismount and walk in congested areas and posted walk zones.

(e) Slow down, make presence known well in advance, and use courtesy and caution when approaching or overtaking other persons.

(f) Display adequate lighting during hours of darkness.

(g) Use caution when approaching turns or areas of limited sight distance.

(h) Not disturb or harass wildlife.

(i) When on public roads within a state park, operate in compliance with any additional requirements of RCW 46.61.750, Effect of regulations—Penalty.

(4) The director or designee may designate trails for preferential use by cyclists and may specifically authorize use of any facilities for special cycling recreation events, excluding roads or trails specified in subsection (2) of this section.

#### **WSR 89-01-035**

#### **PROPOSED RULES**

#### **DEPARTMENT OF REVENUE**

[Filed December 13, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning hazardous substance tax, amending WAC 458-20-252;

that the agency will at 9:30 a.m., Tuesday, January 24, 1989, in the Revenue Conference Room #304, 711 Evergreen Plaza Building, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 31, 1989.

The authority under which these rules are proposed is RCW 82.32.300.

The specific statute these rules are intended to implement is Initiative 97, 1988, to be referred to as sections 8 through 12, chapter 2, Laws of 1989.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 13, 1988

By: Garry G. Fujita  
Assistant Director

#### **STATEMENT OF PURPOSE**

Title: WAC 458-20-252 Hazardous substance tax.

Description of Purpose: To implement the provisions of Initiative 97 which was passed by the electorate on November 9, 1988, to take effect on March 1, 1989. This initiative made significant, substantive changes in applications and exemptions regarding the taxation of possessions of hazardous substances in Washington state. The initiative prospectively repeals and replaces the provisions of chapter 2, Laws of 1987, 3rd ex. sess. (SB 6085) codified as chapter 82.22 RCW. To explain the provisions of the initiative, provide definitions, and cite examples of tax applications, exemptions, and credits.

Statutory Authority: RCW 82.32.300.

Specific Statute(s) Rule is Intended to Implement: Initiative 97, 1988, to be referred to as sections 8 through 12, chapter 2, Laws of 1989.

Reasons Supporting Proposed Action: Effective March 1, 1989, a new and separate excise tax is imposed in this state upon the privilege of possessing hazardous substances, which replaces the taxation, exemption, and

credits provisions of chapter 82.22 RCW. The Department of Revenue is mandated to promulgate rules covering the proper procedures for reporting the tax, claiming exemptions, and applying for credits under the law. Adoption of the amended rule will occur only after a public hearing under the APA and full opportunity for all interested persons to be heard.

**Agency Personnel Responsible for Drafting and Implementation:** Edward L. Faker, 415 General Administration Building, Olympia, WA 98504, phone 753-5579; and **Enforcement:** Department of Revenue, 415 General Administration Building, Olympia, WA 98504, phone 753-5540.

**Small Business Economic Impact Statement:** The proposed amendment to WAC 458-20-252 affects any business that possesses hazardous substances as defined by chapter 2, Laws of 1989. RCW 82.32.070 requires every business to keep suitable records to determine the amount of tax properly due. The Department of Revenue recognizes that some small businesses experience difficulties in obtaining "certificates" in order to perfect their entitlement to exemptions. The department, therefore, has incorporated language in section (4)(a)(ii) to allow other types of evidence to perfect entitlement to the "previously taxed hazardous substances" exemption in order to lessen the administrative impact on small business. The Department of Revenue is not aware of any other operating condition which would result in administrative costs substantially different than those of a larger business.

#### AMENDATORY SECTION (Amending Order 88-2, filed 2/26/88)

**WAC 458-20-252 HAZARDOUS SUBSTANCE TAX.** (1) Introduction. Under the provisions of chapter 82.22 RCW a hazardous substance tax ((is)) was imposed, effective January 1, 1988, upon the wholesale value of certain substances and products, with specific credits and exemptions provided. This law is significantly changed, effective on March 1, 1989, because of Initiative 97 (I-97) which was passed by the voters in the November 8, 1988 general election. ((This)) The tax, which is reimposed by I-97, is an excise tax upon the privilege of possessing hazardous substances or products in this state. It is imposed in addition to all other taxes of an excise or property tax nature and is not in lieu of any other such taxes.

(a) ((RCW 82.22-020)) I-97, which will be referred to as chapter 2, Laws of 1989, defines certain specific substances as being hazardous and includes other substances by reference to Federal legislation governing such things. It also provides authority to the director of the State Department of Ecology to designate any substances or products as hazardous which could present a threat to human health or the environment. The Department of Ecology, by duly published rule, defines and enumerates hazardous substances and products and otherwise administers the provisions of the law relating to hazardous and toxic or dangerous materials, waste, disposal, cleanup, remedial actions, and monitoring. (See Chapter 173-((340)) of the Washington Administrative Code).

(b) ((Chapter 82.22 RCW)) Sections 8 through 12 of I-97 consist((s)) of the tax provisions relating to hazardous substances and products which are administered exclusively under this section. The tax provisions relate exclusively to the possession of hazardous substances and products. The tax provisions do not relate to waste, releases or spills of any materials, cleanup, compensation, or liability for such things, nor does tax liability under the law depend upon such factors. The incidence or privilege which incurs tax liability is simply the possession of the hazardous substance or product, whether or not such possession actually causes any hazardous or dangerous circumstance.

(c) The hazardous substance tax is imposed upon any possession of a hazardous substance or product in this state by any person who is not expressly exempt of the tax. However, it is the intent of the law that

the economic burden of the tax should fall upon the first such possession in this state. Therefor, the law provides that if the tax has not been paid upon any hazardous substance or product the department may collect the tax from any person who has had possession. The amount of tax paid then constitutes a debt owed by the first person having had taxable possession to the person who pays the tax. ((The provisions of parts (10) and (11) of this section reduce the tax payment obligations of successive possessors of hazardous substances and products to the greatest extent allowable under the law.))

(2) Definitions. For purposes of this section the following terms will apply.

(a) "Tax" means the hazardous substance tax imposed ((by RCW 82.22-020)) under Section 10 of I-97.

(b) "Hazardous substance" means anything designated as such by the provisions of ((WAC)) chapter 173-((340)) WAC, administered by the State Department of Ecology, as adopted and thereafter amended. In addition, the law defines this term to include:

(i) Any substance that, on ((January 1, 1988)) March 1, 1989, is a hazardous substance under section 101(14) of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by Public Law 99-499. These substances consist of chemicals and elements in their purest form. ((Products containing CERCLA chemicals and/or elements as ingredients)) A CERCLA substance which contains water is still considered pure. Combinations of CERCLA substances as ingredients together with nonhazardous substances will not be taxable unless the end product is specifically designated as a hazardous substance(s) by the Department of Ecology.

(ii) petroleum products (further defined below);

(iii) pesticide products required to be registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); and

(iv) anything else enumerated as a hazardous substance in Chapter 173-((340)) WAC by the Department of Ecology.

((v) Until April 1, 1988, "hazardous substance" does not include substances or products packaged as a household product and distributed for domestic use.))

(c) "Product(s)" means any item(s) containing a combination of ingredients, some of which are hazardous substances and some of which are not hazardous substances.

(d) "Petroleum product" means any plant condensate, lubricating oil, crankcase motor oil, gasoline, aviation fuel, kerosene, diesel motor fuel, benzol, fuel oil, residual fuel, asphalt base, liquefied or liquefiable gases, such as butane, ethane and propane, and every other product derived from the refining of crude oil, but the term does not include crude oil.

(i) The term "derived from the refining of crude oil" as used herein, means produced because of and during petroleum processing. "Petroleum processing" includes all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to crude oil or any byproduct of crude oil so that as a result thereof a fuel or lubricant is produced for sale or commercial or industrial use. "Fuel" includes all combustible gases and liquids suitable for the generation of energy. The term "derived from the refining of crude oil" does not mean petroleum products which are manufactured from refined oil derivatives, such as petroleum jellies, cleaning solvents, asphalt paving, etc. Such further manufactured products become hazardous substances only when expressly so designated by the Director of Ecology.

(e) "Possession" means control of a hazardous substance located within this state and includes both actual and constructive possession.

(i) "Control" means the power to sell or use a hazardous substance or to authorize the sale or use by another.

(ii) "Actual possession" occurs when the person with control has physical possession.

(iii) "Constructive possession" occurs when the person with control does not have physical possession.

(f) "Previously taxed hazardous substance" means a hazardous substance upon which the tax has been paid and which has not been re-manufactured or reprocessed in any manner.

(i) Remanufacturing or reprocessing does not include the mere repackaging or recycling for beneficial reuse. Rather, these terms embrace activities of a commercial or industrial nature involving the application of skill or labor by hand or machinery so that as a result, a new or different substance or product is produced.

(ii) "Recycling for beneficial reuse" means the recapturing of any used substance or product, for the sole purpose of extending the useful life of the original substance or product in its previously taxed form,

without adding any new, different, or additional ingredient or component.

(iii) Example: Used motor oil drained from a crankcase, filtered, and containerized for reuse is not remanufactured or reprocessed. If the tax was paid on possession of the oil before use, the used oil is a previously taxed substance.

(iv) Possessions of used hazardous substances by persons who merely operate recycling centers or collection stations and who do not reprocess or remanufacture the used substances are not taxable possessions.

(g) "Wholesale value" is the tax measure or base. It means((::)) the fair market value determined by the wholesale selling price.

((::)) the price paid by a wholesaler or retailer to a manufacturer; or

((::)) the price paid by a retailer to a wholesaler when the price represents the value at the time of first possession in this state;

((::))) In cases where no sale has occurred, wholesale value means the fair market wholesale value, determined as nearly as possible according to the wholesale selling price at the place of use of similar substances of like quality and character. In such cases the wholesale value shall be the "value of the products" as determined under the alternate methods set forth in WAC 458-20-112.

((::)) It is the intent of the law that the "wholesale value," which is the tax measure, should be as uniform and constant as possible throughout the chain of distribution from manufacture to retail sale. For special tax reporting formulas for retailers, see Part (11) of this section.))

(h) "Selling price" means consideration of any kind expressed in terms of money paid or delivered by a buyer to a seller, without any deductions for any costs whatsoever. Bona fide discounts actually granted to a buyer result in reductions in the selling price rather than deductions.

(i) "State," for purposes of the credit provisions of the hazardous substance tax, means:

(i) the state of Washington,

(ii) states of the United States or any political subdivisions of such other states,

(iii) the District of Columbia,

(iv) territories and possessions of the United States,

(v) any foreign country or political subdivision thereof.

(j) "Person" means any natural or artificial person, including a business organization of any kind, and has the further meaning defined in RCW 82.04.030.

(i) The term "natural person," for purposes of the tax exemption provided by ((RCW 82.22.040(2))) Section 11(2) of I-97 regarding substances used for personal or domestic purposes, means human beings in a private, as opposed to a business sense.

(k) Except as otherwise expressly defined in this section, the definitions of terms provided in chapters 82.04, 82.08, and 82.12 RCW apply equally for this section. Other terms not expressly defined in these chapters or this section are to be given their common and ordinary meanings.

(3) Tax rate and measure. The tax is imposed upon the privilege of possessing hazardous substances in this state. The tax rate is ((eight)) seven tenths of one percent ((.008)) (.007). The tax measure or base is the wholesale value of the substance, as defined herein.

(4) Exemptions. The following are expressly exempt from the tax:

(a) Any successive possessions of any previously taxed hazardous substances are tax exempt.

(i) Any person who possesses a hazardous substance which has been acquired from any other person who is registered with the department of revenue and doing business in this state may take a written statement certifying that the tax has been previously paid. Such certifications must be taken in good faith and must be in the form provided in the last part of this section. Blanket certifications may be taken, as appropriate, which must be renewed at intervals not to exceed four years. These certifications may be used for any single hazardous substance or any broad classification of hazardous substances, e.g., "all chemicals."

(ii) In the absence of taking such certifications, the person who possesses any hazardous substance must ((prove)) retain proofs that it purchased or otherwise acquired the substance from a previous possessor in this state ((and that the tax has been paid)). It is not necessary for subsequent possessors to obtain certificates of previously taxed hazardous substances in order to perfect their tax exemption. Documentation which establishes any evidence of previous tax payment by another person will suffice. This includes invoices or billings from in-state suppliers which reflect their payment of the tax or simple bills of lading or delivery documents revealing an in-state source of the hazardous substances.

(iii) This exemption for taxes previously paid is available for any person in successive possession of a taxed hazardous substance even though the previous payment may have been satisfied by the use of credits or offsets available to the previous person in possession.

(iv) Example. Company A brings a substance into this state upon which it has paid a similar hazardous substance tax in another state. Company A takes a credit against its Washington tax liability in the amount of the other state's tax paid. It then sells the substance to Company B, and provides Company B with a Certificate of Previously Taxed Substance. Company B's possession is tax exempt even though Company A has not directly paid Washington's tax but has used a credit against its Washington liability.

(b) Any possession of a hazardous substance by a natural person for use of a personal or domestic nature rather than a business nature is tax exempt.

(i) This exemption extends to relatives, as well as other natural persons who reside with the person possessing the substance, and also to regular employees of that person who use the substance for the benefit of that person.

(ii) This exemption does not extend to possessions by any independent contractors hired by natural persons, which contractors themselves provide the hazardous substance.

(iii) Examples: Possessions of spray materials by an employee-gardener or soaps and cleaning solvents by an employee-domestic servant, when such substances are provided by the natural person for whose domestic benefit such things are used, are tax exempt. Also, possessions of fuel by private persons for use in privately owned vehicles are tax exempt.

(c) ((Any possessions of the following substances are tax exempt:

(f) alumina, natural gas, or petroleum coke;

(m) liquid fuel or fuel gas used in processing petroleum;

(iii) petroleum products that are exported for use or sale outside this state as fuel.

(iv) The exemption for possessions of petroleum products for export sale or use as fuel may be taken by any person within the chain of distribution of such products in this state. To perfect its entitlement to this exemption the person possessing such substance(s) must take from its buyer or transferee of the substance(s) a written certification in substantially the following form:

#### Certificate of Tax Exempt Export Petroleum Products

I hereby certify that the petroleum products specified herein, purchased by or transferred to the undersigned, from (seller or transferor), are for export for use or sale outside Washington state as fuel. I will become liable for and pay any hazardous substance tax due upon all or any part of such products which are not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion.

Registration No. \_\_\_\_\_ Type of Business \_\_\_\_\_  
(If applicable)

Firm Name \_\_\_\_\_ Registered Name \_\_\_\_\_  
(If different)

Authorized Signature \_\_\_\_\_

Title \_\_\_\_\_

Identity of Petroleum Product \_\_\_\_\_  
(Kind and amount by volume)

Date \_\_\_\_\_

(v) Each successive possessor of such petroleum products must, in turn, take a certification in this form from any other person to whom such petroleum products are sold or transferred in this state. Failure to take and keep such certifications as part of its permanent records will incur hazardous substance tax liability by such sellers or transferors of petroleum products.

(vi) Persons in possession of such petroleum products who themselves export or cause the exportation of such products to persons outside this state for further sale or use as fuel must keep the proofs of actual exportation required by WAC 458-20-193, Parts A or C. Example: Carriers who will purchase fuel in this state to be taken out of state in the fuel tanks of any ship, airplane, truck, or other carrier vehicle will provide their fuel suppliers with this certification. Then such carriers will directly report and pay the tax only upon the portion of such fuel actually consumed by them in this state. (With respect to fuel brought into this state in fuel tanks and partially consumed here, see the credit provisions of Part (5)(b) of this section.)

Any possession of any hazardous substance, other than pesticides or petroleum products, possessed by a retailer for making sales to consumers, in an amount which is determined to be "minimal" by the department of ecology. That department has determined that the term "minimal" means less than \$1,000.00 worth of such hazardous substances measured by their wholesale value, possessed during any calendar month.

(d) Possessions of alumina or natural gas are tax exempt.

(e) Persons or activities which the state is prohibited from taxing under the United States Constitution are tax exempt.

(i) This exemption extends to the U.S. Government, its agencies and instrumentalities, and to any possession the taxation of which has been expressly reserved or preempted under the laws of the United States.

(ii) The tax will not apply with respect to any possession of any hazardous substance purchased, extracted, produced or manufactured outside this state which is shipped or delivered into this state until the interstate transportation of such substance has finally ended in this state. Thus, out of state sellers or producers need not pay the tax on substances shipped directly to customers in this state. The customers must pay the tax upon their first possession unless otherwise expressly exempt.

(iii) Out of state sellers or producers will be subject to tax upon substances shipped or delivered to warehouses or other in state facilities owned, leased, or otherwise controlled by them.

(iv) However, the tax will not apply with respect to possessions of substances which are only temporarily stored or possessed in this state in connection with through, interstate movement of the substances from points of origin to points of destination both of which are outside of this state.

((c)) Any possession of any hazardous substances which were already possessed before January 1, 1988 are tax exempt. This exemption extends to current inventories and stocks of hazardous substances on hand on January 1, 1988 when the tax first takes effect. The intent is that the hazardous substance tax has no retroactive application.

(i) It is the intent, under the law, that this exemption will apply to the substances throughout their succeeding chain of distribution, in the possession of any person, for the life of those substances. That is, hazardous substances already possessed as of December 31, 1987 will not incur tax liability in the possession of any person at any time.

(ii) Persons who already possess any hazardous substances on December 31, 1987 must use a first-in-first-out (FIFO) accounting method for depicting such supplies, supported by their purchase, sales, or transfer records.

(iii) Because this exemption will follow the hazardous substances into the possession of any subsequent or succeeding possessors, sellers of such exempt current inventory substances should provide their registered buyers in this state with the Certificate of Previously Taxed Hazardous Substance set forth in Part (15) of this section.)

(f) The former exemption for petroleum products for export sale or use outside this state as fuel was effectively repealed by I-97. There are no exemptions under the law for any possessions of hazardous substances in this state simply because such substances may later be sold or used outside this state.

(g) Though I-97 contains an exemption for persons possessing any hazardous substance where such possession first occurred before March 1, 1989, this exemption applies only to the tax imposed under I-97. It does not apply retroactively to excuse the hazardous substance tax which was imposed under chapter 82.22 RCW in effect from January 1, 1988 until March 1, 1989. However:

(i) TRANSITIONAL RULE: Persons who possess stocks or inventories of petroleum products as of March 1, 1989, which are destined for sale or use outside this state as fuel are not subject to tax upon such possessions of preexisting inventories. For periods before March 1, 1989 the former exemption of RCW 82.22.040(3) for export petroleum products applies. For periods on and after March 1, 1989 the exemption for prepossessed hazardous substances explained in subsection (g) above will apply. Records appropriate to establish that such petroleum products were destined for out of state sale or use as fuel must be retained by any possessor claiming exemption under this transitional rule.

(5) Credits. There are three distinct kinds of tax credits against liability which are available under the law.

(a) A credit may be taken by any manufacturer or processor of a hazardous substance produced from ingredients or components which are themselves hazardous substances, and upon which the hazardous substance tax has been paid by the same person or is due for payment by the same person.

(i) Example. A manufacturer possesses hazardous chemicals which it combines to produce an acid which is also designated as a hazardous substance or product. When it reports the tax upon the wholesale value of the acid it may use a credit to offset the tax by the amount of tax it has already paid or reported upon the hazardous chemical ingredients or components. In this manner the intent of the law to tax hazardous substances only once is fulfilled.

(ii) Under circumstances where the hazardous ingredient and the hazardous end product are both possessed by the same person during the same tax reporting period, the tax on the respective substances must be computed and the former must be offset against the latter so that the tax return reflects the tax liability after the credit adjustment.

(iii) This credit may be taken only by manufacturers who have the first possession in this state of both the hazardous ingredients and the hazardous end product.

(b) A credit may be taken in the amount of the hazardous substance tax paid upon the value of fuel which is carried from this state in the fuel tank of any airplane, ship, truck, or other vehicle.

(i) ((The purpose of this credit is to extend the same tax exclusion which exists for exported fuel (part (4)(c) above) to fuel which is possessed and partly used in this state before crossing the boundaries of this state in any fuel tank attached to any transportation vehicle powered by such fuel.

((iii))) (ii) The credit may be claimed only for the amount of tax actually paid on the fuel, not the amount representing the value of the fuel.

((iii))) (ii) The nature of this credit is such that it generally has application only for interstate and foreign carriers whose fuel tanks contain fuel when they enter this state which was not first possessed by some other person in this state who paid the tax. The credit is limited to the person who carries the fuel from this state and cannot be claimed by any person who previously possessed the fuel in this state and paid the tax.

((iv)) Interstate/foreign carriers who purchase fuel in this state do not require, and may not use this credit in respect to such locally purchased fuel. Instead, the export fuel exemption set forth at part (4)(c)(iii) will be used. Thus, t)) This fuel-in-tanks credit is applicable only for fuel brought into this state in fuel tanks, part of which is then taken out of this state in the fuel tanks. The intent is that the tax will apply only to so much of such fuel as is consumed by such carriers in this state. This credit is not available for fuel purchased in this state.

(v) Example. An airline company enters this state with its fuel tanks partially full of fuel which has not been possessed and taxed earlier in this state. The fuel in the tanks is, therefore, first possessed in this state by the airline company, has not been previously taxed, and the possession is not expressly tax exempt. Only the amount of fuel actually used in this state is subject to the tax because this credit may be taken for the tax paid on the portion of fuel allocated to use after the airplane exits this state.

(c) A credit may be taken against the tax owed in this state in the amount of any other state's hazardous substance tax which has been paid by the same person measured by the wholesale value of the same hazardous substance.

(i) In order for this credit to apply, the other state's tax must be significantly similar to Washington's tax in all its various respects. The taxable incident must be possessing the substance; the tax purpose must be that the substance is hazardous; and the tax measure must be stated in terms of the wholesale value of the substance, without deductions for costs of doing business, such that the other state's tax does not constitute an income tax or added value tax.

(ii) This credit may be taken for the amount of any other state's qualifying tax which has actually been paid ((either)) before ((or after)) Washington State's tax is ((paid)) incurred because the substance was previously possessed by the same person in another taxing jurisdiction.

(iii) The amount of credit is limited to the amount of tax paid in this state upon possession of the same hazardous substance in this state. Also, the credit may not be applied against any tax paid or owed in this state other than the hazardous substance tax imposed by ((RCW 82.22.030)) Section 10 of I-97.

(iv) Exchange agreements under which hazardous substances or products possessed in this state are exchanged through any accounts crediting system with like substances possessed in other states do not qualify for this credit. The substance taxed in another state, and for which this credit is sought, must be actually, physically possessed in this state.

(v) Persons claiming this credit must maintain records necessary to verify that the credit taking qualifications have been met. See WAC

458-20-19301, part (9) for recordkeeping requirements. The department of revenue will publish an Excise Tax Bulletin listing other states' taxes which qualify for this credit.

(6) Newly defined hazardous substances. The Director of Ecology may identify and designate things as being hazardous substances after ((January 1, 1988)) March 1, 1989. Also, things designated as hazardous substances may be deleted from this definition. Such actions are done by the adoption and subsequent periodic amendments to rules of the Department of Ecology under the Washington Administrative Code.

(a) The law allows the addition or deletion of substances as hazardous by rule amendments, no more often than twice in any calendar year.

(b) When such definitions are changed, they do not take effect for tax purposes until the first day of the following month which is at least thirty days after the effective date of rule action by the Department of Ecology.

(i) Example. The Department of Ecology adopts or amends the rule by adding a new substance and the effective date of the amendment is ((January)) June 15. Possession of the substance does not become taxable until ((March)) August 1.

(ii) ((The exemption for current inventories and stocks on hand explained at part (5)(c) of this section does not apply to possessions of hazardous substances newly added by rule.)) The tax is owed by any person who has possession of the newly designated hazardous substance upon the tax effective date as explained herein. It is immaterial that the person in possession on that date was not the first person in possession of the substance in this state before it was designated as hazardous.

(7) Recurrent tax liability. It is the intent of the law that all hazardous substances possessed in this state should incur this tax liability only once unless they are expressly exempt. This is true of hazardous ingredients of products as well as the manufactured end product itself, if designated as a hazardous substance. The exemption for previously taxed hazardous substances does not apply to "products" which have been manufactured or remanufactured simply because an ingredient or ingredients of that product may have already been taxed when possessed by the manufacturer. Instead of an exemption, manufacturers in possession of both the hazardous ingredient(s) and end product(s) should use the credit provision explained at Part (5)(a) of this section.

(a) However, the term "product" is defined to mean only an item or items which contain a combination of both hazardous substance(s) and non-hazardous substance(s). The term does not include combinations of only hazardous substances. Thus, possessions of substances produced by combining other hazardous substances upon all of which the tax has previously been paid will not again be taxable.

(b) When any hazardous substance(s) is first produced during and because of any physical combination or chemical reaction which occurs in a manufacturing or processing activity, the intermediate possession of such substance(s) within the manufacturing or processing plant is not considered a taxable possession if the substance(s) becomes a component or ingredient of the product being manufactured or processed or is otherwise consumed during the manufacturing or processing activity.

(i) However, when any intermediate hazardous substance is first produced during a manufacturing or processing activity and is withdrawn for sale or transfer outside of the manufacturing or processing plant, a taxable first possession occurs.

(c) Concentrations or dilutions for shipment or storage. The mere addition or withdrawal of water or other nonhazardous substances to or from hazardous substances designated under CERCLA or FIFRA for the sole purpose of transportation, storage, or the later manufacturing use of such substances does not result in any new hazardous product.

(8) How and when to pay tax. The tax must be reported on a special line of the combined excise tax return designated "hazardous substances." It is due for payment together with the timely filing of the return upon which it is reported, covering the tax reporting period during which the hazardous substance(s) is first possessed within this state. Any person who is not expressly exempt of the tax and who possesses any hazardous substance in this state, without having proof that the tax has previously been paid on that substance, must report and pay the tax.

(a) It may be that the person who purchases a hazardous substance will not have billing information from which to determine the wholesale value of the substance when the tax return for the period of possession is due. In such cases the tax is due for payment no later than

the next regular reporting due date following the reporting period in which the substance(s) is first possessed.

(b) The taxable incident or event is the possession of the substance. Tax is due for payment by the purchaser of any hazardous substance whether or not the purchase price has been paid in part or in full.

(c) Special provision for manufacturers, refiners, and processors. ((Because it is not possible to know, at the time of first possession in this state, whether a hazardous substance may be used or sold in a manner which would entitle the first possession to tax exemption, m)) Manufacturers, refiners, and processors who possess hazardous substances are required to report the tax and take any available exemptions and credits only at the time that such hazardous substances are withdrawn from storage for purposes of their sale, transfer, remanufacture, or consumption.

(9) How and when to claim credits. Credits should be claimed and offset against tax liability reported on the same excise tax return when possible. The tax return form provides a line for reporting tax on hazardous substances and a line for taking credits as an offset against the tax reported. It is not required that any documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

(10) ((Successive possessions of the same hazardous substance. The law provides that the department of revenue may collect the tax from any person who has had possession of a hazardous substance in this state, if the tax has not already been paid by any person. The law also provides that the tax measure, wholesale value, should be as uniform as possible throughout the chain of possession. Wholesale value is determined by the wholesale selling price.))

(a) When tax is collected by the department from any person having successive possession of a substance, because no tax was previously paid on that same substance, the wholesale selling price means the price paid to any manufacturer or wholesaler who first had possession in this state.

(b) In determining this wholesale selling price, the charges for shipping, delivery, warehousing, or any other such charges representing cost increments accrued after the first wholesale sale in this state are not included. Thus, the tax collected from any person having successive possession should be no greater than what the tax would have been if collected from the person who had first possession of the substance in this state.

(11) Formulary or percentage tax reporting. The law provides that when the burden of the tax falls upon retailers, when they are the first persons in possession in this state, the tax burden should be equal to the same burden when it falls upon manufacturers or first level wholesalers earlier in the distribution chain. Because the tax measure is the wholesale value of the substance when first possessed in this state, that measure should remain constant regardless of who is the first person in possession. This is true even when the first person in possession is a retailer or any other purchaser or transferee of a hazardous substance from any out-of-state seller or transferor other than the out-of-state manufacturer of the substance.

(a) It may be that the retailer or other importer first in possession will not have access to records reflecting the manufacturer's wholesale value of a hazardous substance. RCW 82.22.030 provides that in such cases the tax may be imposed upon a "percentage of sales" for any class of retailer so as to equalize the tax burden for all persons in possession of hazardous substances. Therefor, in order to derive a tax measure which will reasonably approximate the manufacturer's wholesale selling price, retailers or other importers who are the first persons in possession of hazardous substances in this state may report and pay the tax under one of the following methods:

(i) measured by manufacturer's wholesale value as shown upon any actual accounting records available; or;

(ii) measured by sixty percent (60%) of gross receipts from retail sales of hazardous substances which have not been previously taxed; or;

(iii) measured by the possessor's cost, less twenty percent (20%), of all such substances not previously taxed; or;

(iv) under circumstances where none of the above methods fairly reflects what the wholesale value would have been at the time and place of first possession by a manufacturer in this state, then the retailer may submit a percentage of sales formula for prior approval by the department of revenue.

(v) It is not the intent of these formulary tax measurement provisions to derive any tax measure below or less than the manufacturer's wholesale value.

((b)) Special provision for consumer/first possessors. Under circumstances where the consumer is the first person in possession of any non-exempt hazardous substance (e.g., substances imported by the consumer), or where the consumer is the person who must pay the tax upon substances previously possessed in this state (fuel purchased for export in fuel tanks) the consumer's tax measure will be ((sixty percent (60%))) eighty percent (80%) of its retail purchase price. This provision,(( again,)) is intended to ((equalize the)) achieve a tax measure ((for all taxable persons possessing hazardous substances)) equivalent to the wholesale value.

((+2)) (11) Hazardous substances or products on consignment. Consignees who possess hazardous substances or products in this state with the power to sell such things, in their own name or on behalf of a disclosed or undisclosed consignor are liable for payment of the tax. The exemption for previously taxed substances is available for such consignees only if the consignors have paid the tax and the consignee has retained the certification or other proof of previous tax payment referred to in part (4)(i) and (ii) of this section. Possession of consigned hazardous substances by a consignee does not constitute constructive possession by the consignor.

((+3)) (12) Hazardous substances untraceable to source. Various circumstances may arise whereby a person will possess hazardous substances in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases ((the)) formulary tax reporting ((of part (11) of this section)) may be used, ((including the)) only upon a ((request for a)) special ruling by the department of revenue.

(a) Example. Fungible petroleum products from sources both within and outside this state are commingled in common storage facilities. Formulary reporting is appropriate based upon volume percentages reflecting the ratio of in-state production to out-of-state production or other form of acquisition.

((+4)) (13) Administrative provisions. The provisions of chapter 82-32 RCW regarding due dates, reporting periods, tax return requirements, interest and penalties, tax audits and limitations, disputes and appeals, and all such general administrative provisions apply equally to the hazardous substance tax. Special requested rulings covering unique circumstances generally will be issued within sixty days from the date upon which complete information is provided to the department of revenue.

((+5)) (14) Certification of previously taxed hazardous substance. Certification that the hazardous substance tax has already been paid by a person previously in possession of the substance(s) may be taken in substantially the following form:

I hereby certify that this purchase – all purchases of \_\_\_\_\_  
 (omit one)  
 (identify substance(s) purchased) , by \_\_\_\_\_,  
 who possesses registration no. \_\_\_\_\_,  
 (buyer's number, if registered)

consists of the purchase of hazardous substance(s) or product(s) upon which the ((tax imposed by RCW 82-22-030)) hazardous substance tax has been paid in full by a person previously in possession of the substance(s) or product(s) in this state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion, and with the full knowledge and agreement that the undersigned hereby assumes any liability for hazardous substance tax which has not been previously paid because of possession of the hazardous substance(s) or product(s) identified herein.

— The registered seller named below personally paid the tax upon possession of the hazardous substances.  
 — A person in possession of the hazardous substances prior to the possession of the registered seller named below paid the tax.  
 ((— This certificate is being used to cover tax exempt existing inventories which were possessed in this state on December 31, 1987.))  
 (Check the appropriate line.)

Name of registered seller \_\_\_\_\_ Registration No. \_\_\_\_\_  
 Firm name \_\_\_\_\_ Address \_\_\_\_\_  
 Type of business \_\_\_\_\_  
 Authorized signature \_\_\_\_\_ Title \_\_\_\_\_  
 Date \_\_\_\_\_

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

## WSR 89-01-036 ADOPTED RULES STATE BOARD OF EDUCATION

[Order 21-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to certificate of educational competence, chapter 180-96 WAC.

This action is taken pursuant to Notice No. WSR 88-21-111 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04-135 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 2, 1988.  
 By Monica Schmidt  
 Secretary

### Chapter 180-96 WAC CERTIFICATE OF EDUCATIONAL COMPETENCE

#### WAC

180-96-005	Authority.
180-96-010	Purpose.
180-96-015	Certificate of educational competence—Definition.
180-96-020	General educational development test—Definition.
180-96-025	Minimum proficiency level—Definition.
180-96-030	Official GED testing center—Definition.
180-96-035	Designated employee—Definition.
180-96-040	Regular high school education program—Definition.
180-96-045	Substantial and warranted reason for leaving the regular high school education program—Definition.
180-96-050	Right to appeal.
180-96-055	Eligibility to take GED test.
180-96-060	Eligibility for award of certificate of educational competence.

180-96-065	Identification necessary to take the GED exam.
180-96-070	Application form for certificate of educational competence.
180-96-075	Effect of certificate of educational competence.

**NEW SECTION**

**WAC 180-96-005 AUTHORITY.** The authority for this chapter is RCW 28A.04.135 which authorizes the state board of education to adopt regulations governing the conditions by and under which a certificate of educational competence may be issued.

**NEW SECTION**

**WAC 180-96-010 PURPOSE.** The purpose of this chapter is to set forth policies and procedures governing the issuance of certificates of educational competence to persons who have not completed requirements for a regular high school diploma.

**NEW SECTION**

**WAC 180-96-015 CERTIFICATE OF EDUCATIONAL COMPETENCE—DEFINITION.** As used in this chapter, the term "certificate of educational competence" means a certificate issued by the superintendent of public instruction which indicates that the holder thereof has attained standard scores at or above the minimum proficiency level prescribed by the state board of education on the general educational development (GED) test, which measures a person's level of achievement in specified areas of the high school curriculum.

**NEW SECTION**

**WAC 180-96-020 GENERAL EDUCATIONAL DEVELOPMENT TEST—DEFINITION.** As used in this chapter, the term "general educational development test" means the most recent general educational development test of the American Council on Education.

**NEW SECTION**

**WAC 180-96-025 MINIMUM PROFICIENCY LEVEL—DEFINITION.** As used in this chapter, the term "minimum proficiency level" means a standard score of at least forty on each of the portions on the general educational development test and an average standard score of at least forty-five on the entire test.

**NEW SECTION**

**WAC 180-96-030 OFFICIAL GED TESTING CENTER—DEFINITION.** As used in this chapter, the term "official GED testing center" means public or private agencies which have agreed to comply with the provisions of this chapter and which have been designated by the superintendent of public instruction to administer the general educational development test.

**NEW SECTION**

**WAC 180-96-035 DESIGNATED EMPLOYEE—DEFINITION.** As used in this chapter "designated employee" means that individual or individuals empowered by the board of directors of the district to determine eligibility to take the GED test.

**NEW SECTION**

**WAC 180-96-040 REGULAR HIGH SCHOOL EDUCATION PROGRAM—DEFINITION.** As used in this chapter the term "regular high school education program" means a secondary education program operated pursuant to chapters 180-50 and 180-51 WAC leading to the issuance of a high school diploma.

**NEW SECTION**

**WAC 180-96-045 SUBSTANTIAL AND WARRANTED REASON FOR LEAVING THE REGULAR HIGH SCHOOL EDUCATION PROGRAM—DEFINITION.** As used in this chapter, the term "substantial and warranted reason for leaving the regular high school education program" means one or more of the following:

(1) Personal problems which seriously impair the student's ability to make reasonable progress toward high school graduation.

(2) A financial crisis which directly affects the student and necessitates the student's employment during school hours.

(3) The lack of curriculum and instruction which constitutes appropriate learning experiences for the student.

(4) The inability or failure of the school of attendance to adjust its program for the individual or otherwise make arrangements for enrollment in an educational program in a manner which enables the student to advance toward graduation with reasonable progress and success.

(5) A determination by the designated employee that it is in the "best interest" of the student to drop the regular high school program for one of the following purposes:

(a) Enter a postsecondary institution.

(b) Enter the military.

(c) Engage in employment.

(6) PROVIDED, That no person under eighteen years of age (i.e., minor), shall be adjudged to have a substantial and warranted reason for leaving school unless the minor's parents, guardian, or legal custodian, if available, agrees that dropping school is in the best interest of the minor.

**NEW SECTION**

**WAC 180-96-050 RIGHT TO APPEAL.** The following shall govern the finality of decisions of the designated employee:

(1) If the decision of the designated employee is that the applicant has a substantial and warranted reason for leaving the regular high school education program, the decision of such designated employee shall be final.

(2) If the decision of the designated employee is to deny the existence of a substantial and warranted reason for leaving the regular high school education program, the applicant shall have the right to appeal the decision to such board of directors in accordance with procedures adopted by the board of directors. The board of directors shall issue a decision within thirty calendar days of receipt of any appeal.

(3) If a decision has been made by the board of directors of the district, such decision shall be final subject to an appeal to a court of law pursuant to RCW 28A.88.010.

#### NEW SECTION

**WAC 180-96-055 ELIGIBILITY TO TAKE GED TEST.** The following individuals shall be eligible to take the general educational development test in official GED testing centers:

(1) Any adult, i.e., person age nineteen or over, who has not graduated from high school.

(2) Any person between the ages of fifteen and nineteen who has not graduated from high school and who has been adjudged by a school district to have a substantial and warranted reason for leaving the regular high school education program.

(3) Any student in a certified educational clinic upon completion of an individual student program in accordance with the provisions of chapter 392-185 WAC.

#### NEW SECTION

**WAC 180-96-060 ELIGIBILITY FOR AWARD OF CERTIFICATE OF EDUCATIONAL COMPETENCE.** The certificate of educational competence shall be awarded by the superintendent of public instruction to persons who achieve the minimum proficiency level on the general educational developmental test and who meet the following:

(1) Are residents of Washington state; and  
 (2) Are nineteen years of age or older on the date of issuance; or  
 (3) Have been adjudged by a district as possessing a substantial and warranted reason for leaving the regular high school education program.

#### NEW SECTION

**WAC 180-96-065 IDENTIFICATION NECESSARY TO TAKE THE GED EXAM.** All persons taking the GED test must provide picture identification utilizing one of the following:

(1) State-issued driver's license or a state-issued identification card with a photograph.  
 (2) United States passport.  
 (3) Certificate of United States citizenship.  
 (4) Certificate of naturalization.  
 (5) Unexpired foreign passport.  
 (6) Alien registration card with photograph.  
 (7) Other forms of comparable identification which the GED examiner judges to be credible including, but not limited to, one or more of the following:

- (a) Other forms of picture identification;
- (b) Birth certificates in combination with other sources that confirm identity; and
- (c) Confirmation of identity by a law enforcement, social service, or penal agency.

#### NEW SECTION

**WAC 180-96-070 APPLICATION FORM FOR CERTIFICATE OF EDUCATIONAL COMPETENCE.** The superintendent of public instruction shall supply each official GED testing center with forms for applicants to request certificates of educational competence. Such forms shall request data necessary for processing of the application, including the applicant's score on the general educational development test, certified by an appropriate official of the GED testing center, the applicant's Social Security number and such additional information as the superintendent of public instruction deems necessary for any authorized research project associated with the implementation or administration of this chapter.

#### NEW SECTION

**WAC 180-96-075 EFFECT OF CERTIFICATE OF EDUCATIONAL COMPETENCE.** Issuance by the superintendent of public instruction of a certificate of educational competence shall not preclude such persons from returning to high school to obtain a regular high school diploma if changes in the person's personal situation allow completion of a regular high school education program.

**WSR 89-01-037  
ADOPTED RULES  
STATE BOARD OF EDUCATION**  
[Order 22-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to secondary education, chapter 180-56 WAC.

This action is taken pursuant to Notice No. WSR 88-21-104 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04.135 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 2, 1988.  
By Monica Schmidt  
Secretary

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 180-56-400 **BASIC POLICY.**  
 WAC 180-56-405 **PURPOSES.**  
 WAC 180-56-410 **DEFINITIONS.**  
**WAC 180-56-415 APPLICATIONS—ESTABLISHMENT OF SUBSTANTIAL AND WARRANTED REASON—ADMINISTRATION BY SCHOOL DISTRICTS.**  
 WAC 180-56-420 **APPEALS.**  
**WAC 180-56-425 APPLICATIONS—TESTING—AWARD OF CERTIFICATES OF EDUCATIONAL COMPETENCE.**  
**WAC 180-56-430 ISSUANCE OF CERTIFICATES—MINIMUM TEST SCORES.**  
 WAC 180-56-435 **STATE COMMITTEE.**

**WSR 89-01-038  
ADOPTED RULES  
STATE BOARD OF EDUCATION**  
 [Order 23-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to minimum standards and certificate form, WAC 180-90-160.

This action is taken pursuant to Notice No. WSR 88-21-110 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.02.240 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 2, 1988.  
 By Monica Schmidt  
 Secretary

**AMENDATORY SECTION** (Amending Order 7-87, filed 4/14/87)

**WAC 180-90-160 MINIMUM STANDARDS AND CERTIFICATE FORM.** The annual certificate required by WAC 180-90-130 shall be in substantial compliance with the form and substance of the following:

**CERTIFICATE OF COMPLIANCE  
WITH STATE STANDARDS**  
 ESD/County/Public  
 School District  
 Private School/  
 District Address

I, . . . . . , do hereby certify that I am the principal or chief administrator of the above named school; that said school is located at the address listed above, and conducts grades . . . . . through . . . . . with a projected enrollment of . . . . . ; and that said school is scheduled to meet throughout the . . . . . school year, the following standards with the exception only of such deviations, if any, as are set forth in an attachment to this certificate of compliance

or

I, . . . . . , do hereby certify that I am the superintendent of the above named private school district; and that the private schools under my jurisdiction are scheduled to meet throughout the school year, the following standards with the exception only of such deviations as are set forth in an attachment to this certificate of compliance; and that a list of such schools, including the grades conducted and the projected enrollment for each school, accompanies this certificate:

(1) The minimum school year for instructional purposes consists of no less than 180 school days or the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.58.754.

(2) On each school day, pupils enrolled in the school are provided the opportunity to be engaged in educational activity planned by and under the direction of the staff, as directed by the administration and/or governing board; and that pupils are provided a total program hour offering as prescribed in RCW 28A.58.754 except that the percentages for basic skills, work skills, and optional subjects and activities prescribed in RCW 28A.58.754 do not apply to private schools and that the total program hour offering, except as otherwise specifically provided in RCW 28A.58.754, made available is at least:

(a) 2700 hours for students in grades one through three.

(b) 2970 hours for students in grades four through six.

(c) 1980 hours for students in grades seven and eight.

(d) 4320 hours for students in grades nine through twelve.

(3) All classroom teachers hold appropriate Washington State certification except for:

(a) Teachers for religious courses or courses for which no counterpart exists in the public schools: PROVIDED, That a religious course is a course of study separate from the courses of study defined in RCW 28A.02.201 including occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of the appreciation of art and music all in sufficient units for meeting state board of education graduation requirements; and/or

(b) A person of unusual competence who is not certified but who will teach students in an exceptional case under the general supervision of a certified teacher or

administrator pursuant to WAC 180-90-125. The non-certified employee, the certified person who will supervise, and the exceptional circumstances are listed on the addendum to this certificate: PROVIDED, That if a noncertified person is employed subsequent to the filing of this certificate, this same information shall be forwarded to the superintendent of public instruction within thirty days from the date of employment.

(4) If the school operates an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody, the extension program meets the following requirements:

(a) The parent, guardian, or custodian is supervised by a person certified under chapter 28A.70 RCW and who is employed by the school;

(b) The planning by the certified person and the parent, guardian, or person having legal custody includes objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spends a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the extension program;

(d) Each student's progress is evaluated by the certified person; and

(e) The certified person does not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Measures have been taken to safeguard all permanent records against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area;

(6) The physical facilities of the school are adequate to meet the program offered, and all school facilities and practices are in substantial compliance with reasonable health and fire safety standards, as substantiated by current inspection reports of appropriate health and fire safety officials which are on file in the chief administrator's office;

(7) The school's curriculum includes instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music in sufficient units for meeting state board of education graduation requirements, as set forth in chapter 180-51 WAC;

(8) The school or its organized district maintains up-to-date policy statements related to the administration and operation of the school or district;

(9) The school does not engage in a policy of racial segregation or discrimination;

(10) The governing authority of this private school or private school district has been apprised of the requirements of chapter 180-90 WAC relating to the minimum requirements for approval of private schools and such governing authority has further been apprised of all deviations from the rules and regulations of the state board of education and the standards contained in chapter 180-90 WAC. I have reported all such deviations herewith.

(11) Approval by the state board of education is contingent upon on-going compliance with the standards certified herein. The superintendent of public instruction shall be notified of any deviation from these standards which occurs after the action taken by the state board of education. Such notification shall be filed within thirty days of occurrence of the deviation.

(12) Failure to comply with the requirements of this chapter may result in the revocation of the approval of the private school and shall be considered in subsequent application for approval as a private school.

DATED this ..... day of ....., 19...

(signed)

(title)

(phone number)

**WSR 89-01-039**  
**ADOPTED RULES**  
**STATE BOARD OF EDUCATION**  
[Order 24-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to kindergarten through grade three students to classroom teacher ratio requirement, WAC 180-16-210.

This action is taken pursuant to Notice No. WSR 88-21-103 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41-130 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 2, 1988.

By Monica Schmidt  
Secretary

**AMENDATORY SECTION** (Amending Order 12-87, filed 6/1/87)

purpose of this section "classroom teacher" shall mean any instructional employee who possesses a valid teaching certificate or permit issued by the superintendent of public instruction, but not necessarily employed as a certificated employee, and whose "primary" duty is the daily educational instruction of students.

((+) ((+))) Computation of ratios. The FTE student to FTE classroom teacher ratios shall be computed as follows:

((a))) (1) For the purpose of this section exclude that portion of the time teachers and students participate in vocationally approved programs, traffic safety and special education programs from the above computations (i.e., programs hereby deemed to be "special programs").

((b))) (2) Exclude preparation and planning times from the computations for all FTE classroom teachers.

((c))) (3) Include in the above computations only the time certificated employees are actually instructing students on a regularly scheduled basis.

((d))) (4) Calculations:

((a))) (a) The kindergarten FTE October enrollment plus the October FTE enrollment in grades 1-3 divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades K through 3.

((b))) (b) The October FTE enrollment in grades 4 and above divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades 4 and above(:

(2) Exemptions.

(i) For the 1987-88 school year, districts that are nonhigh school districts or have a student enrollment of two hundred fifty or less in grades nine through twelve are exempt from the FTE students to FTE classroom teachers ratio requirement of this subsection.

(ii) Commencing with the 1988-89 school year,); PROVIDED, That any district with three hundred or fewer FTE students in grades K-3 and an average K-3 classroom ratio of twenty-five or fewer FTE classroom students to one FTE classroom teacher shall be exempt from the FTE students to FTE classroom teachers ratio requirement of this subsection.

#### **WSR 89-01-040**

#### **ADOPTED RULES**

#### **STATE BOARD OF EDUCATION**

[Order 25-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to Professional certification—General provisions, chapter 180-75 WAC.

This action is taken pursuant to Notice No. WSR 88-21-105 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.70-.005 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 2, 1988.

By Monica Schmidt  
Secretary

#### **AMENDATORY SECTION (Amending Order 6-86, filed 6/10/86)**

**WAC 180-75-017 DENIAL OF RECOMMENDATION FOR CERTIFICATION OR ENDORSEMENT BY APPROVED PROFESSIONAL PREPARATION TRAINING INSTITUTIONS.** Any person whose application for certification or for an endorsement is denied for recommendation to the superintendent of public instruction by an institution of higher education within the state with an approved professional preparation program, after exhausting any appeal procedures established ((pursuant to WAC 180-78-050 (4)(b)(vi))) by such institution, may apply directly to the superintendent of public instruction for such certificate or endorsement.

#### **NEW SECTION**

**WAC 180-75-047 UNIFORM EXPIRATION DATE.** All certificates issued for one or more stated years shall expire on August 31 of the stated year and shall be calculated as follows:

(1) Certificates issued prior to October 1 of a calendar year shall have the expiration date of the certificate calculated on the basis such certificate was issued on September 1 of the same calendar year regardless of the date of issuance.

(2) Certificates issued October 1 or later in the calendar year shall have the expiration date of the certificate calculated on the basis such certificate was issued on September 1 of the next calendar year regardless of the date of issuance.

(3) All such certificates issued prior to the effective date of this section and scheduled to expire prior to August 31 of a given year, regardless of such stated expiration date, shall be valid until August 31 of the stated year of expiration.

#### **NEW SECTION**

**WAC 180-75-048 VALIDITY DATE.** The validity date of a certificate or permit shall be the actual date of issuance.

#### **AMENDATORY SECTION (Amending Order 6-86, filed 6/10/86)**

**WAC 180-75-055 TYPES OF CERTIFICATES.** Four types of certificates shall be issued:

(1) Teacher. The teacher certificate, including alien permits as provided in chapter 392-193 WAC, authorizes service as a classroom teacher.

(2) Administrator.

(a) The administrator certificate endorsed "principal" authorizes services as a building administrator or vice principal.

(b) The administrator certificates endorsed "superintendent" or "program administrator" will be issued to persons who ((have completed)) meet state board of education ((approved preparation programs)) certification standards for service in the roles of ((district administrator, administrative staff, and)) superintendent or program administrator.

(3) Educational staff associate. The educational staff associate certificate authorizes service in endorsed roles of communication disorders specialists, counselors, school nurses, occupational therapists, physical therapists, psychologists, social workers, and reading resource specialists ((as those roles are defined in WAC 180-79-175 through 180-79-210)): PROVIDED, That nothing within chapter 180-79 WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(4) Vocational. The vocational certificate authorizes service in vocational instruction in accordance with the provisions of chapter 180-77 WAC.

**AMENDATORY SECTION** (Amending Order 8-80, filed 6/2/80)

**WAC 180-75-061 APPLICATION FOR CERTIFICATION.** An individual who ((completes a state board of education approved preparation program in Washington state and is, thereby, eligible to apply)) applies for a Washington state certificate, unless seeking reinstatement pursuant to WAC 180-75-087 or renewal pursuant to WAC 180-75-088, must ((apply for such certificate within twelve calendar months after completion of the approved program. Provisions of WAC 180-79-060(2) and 180-79-065(1) relative to length of validity, lapse, renewal and reinstatement of the initial certificate shall apply twelve calendar months after completion of the approved program whether or not the individual has made application for an initial certificate)) meet the standards in effect at the time of application. Effective August 31, 1993, unless the candidate is applying for a limited certificate pursuant to WAC 180-79-230, an initial certificate pursuant to the reciprocity provisions of WAC 180-79-245, or a vocational certificate pursuant to WAC 180-77-040 or 180-77-095 or unless the candidate holds a valid Washington state certificate, the candidate must have passed the applicable parts of the admission to practice examination within one calendar year of the date of application.

**AMENDATORY SECTION** (Amending Order 2-87, filed 4/3/87)

**WAC 180-75-087 REINSTATEMENT OF CERTIFICATES.** Only a continuing certificate may be reinstated. A holder((s)) of ((expired)) a lapsed, surrendered, or revoked continuing professional certificate((s)) at the time of application for reinstatement of such certificate((s)) must submit the following:

(1) Character evidence as required by WAC 180-75-085(2) for candidates for certification.

(2) An affidavit that ((they have)) he or she has not intentionally and knowingly practiced with an expired, lapsed, surrendered, or revoked certificate in a professional position for which certification is required under the rules of the state board of education or the submission of a statement why such practice, if conducted, should not reflect on such applicant's good moral character or personal fitness at the time of application.

(3) In accordance with RCW 28A.70.180, a revoked certificate may not be reinstated within one calendar year from the date of revocation.

(4) PROVIDED, That no certificate may be reinstated if more than five calendar years has passed since the date of lapsing, surrender, or revocation; however, such applicants may apply pursuant to WAC 180-75-061 for a new certificate under standards in effect at the time of application.

(5) PROVIDED FURTHER, That notwithstanding any regulation to the contrary, any person whose Washington state initial or provisional certificate has expired for any reason may apply prior to August 31, 1990, and be issued an initial certificate under the rules in effect at the time of application upon submission of the following:

(a) The character evidence required in subsection (1) of this section.

(b) The affidavit or statement required in subsection (2) of this section.

(c) Evidence of completion of fifteen quarter hours (ten semester hours) of course work at an accredited college or university within the seven years prior to the application for reinstatement.

**NEW SECTION**

**WAC 180-75-088 RENEWAL OF CERTIFICATE.** A holder of a certificate subject to expiration may renew such certificate subject to the rules in effect at the time of such renewal. If such certificate has expired, the candidate may apply for a new certificate pursuant to WAC 180-75-061.

**AMENDATORY SECTION** (Amending Order 14-87, filed 12/21/87)

**WAC 180-75-090 TEMPORARY PERMITS.** Temporary permits may be issued by the superintendent of public instruction under the following conditions:

(1) Temporary permits may be issued under this section to those persons who have filed an application for a certificate; who, based on available documentation, including affidavits or other evidence that appears reliable

which substantiates the existence of missing documentation, appear to have completed all requirements for certification; and who do not disclose any information which indicates that such applicant fails to meet the character requirement of WAC 180-75-085(2).

(2) An individual may apply for a permit directly to the superintendent of public instruction: PROVIDED, That in the case of an individual completing requirements for certification in a Washington state institution of higher education the request may also be made to that institution.

(3) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the endorsement(s) on his/her permit.

(4) A permit is valid for ((ninety)) one hundred twenty consecutive calendar days commencing with the date following the date of issuance ((and is not renewable)) unless prior to such date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement. In such cases, the temporary permit shall expire on the date notice of cancellation is received by the applicant and/or the employer. The temporary permit may be reissued only upon demonstration that the applicant has made a good faith effort to secure the missing documentation.

(5) Issuing authority. The superintendent of public instruction either directly or through a designated agent shall issue all permits and provide institutions of higher education with forms and instructions relevant to application for a permit.

#### **WSR 89-01-041**

#### **ADOPTED RULES**

#### **STATE BOARD OF EDUCATION**

[Order 26-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to Professional certification—Approved preparation programs by colleges and university, chapter 180-78 WAC.

This action is taken pursuant to Notice No. WSR 88-21-106 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.70-.005 and 28A.04.120 (1)(2) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED** December 2, 1988.

By Monica Schmidt  
Secretary

#### **AMENDATORY SECTION (Amending Order 3-87, filed 4/3/87)**

**WAC 180-78-005 PURPOSE.** The purposes of this chapter are to ((implement RCW 28A.04.120 (1) and (2) and to)) establish the procedures, standards, and criteria to be used in the development and approval of preparation programs offered by institutions of higher education in Washington state leading to teacher, administrator, ((and administrator)) and educational staff associates certification.

#### **AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)**

**WAC 180-78-008 PUBLIC POLICY PURPOSES OF SBE APPROVAL OF PROFESSIONAL PREPARATION PROGRAM.** The public policy purposes of state board of education approval of professional preparation programs are:

(1) To ensure that representatives of recognized professional associations and local school districts regularly participate in decisions related to professional preparation programs.

(2) To ensure that responsibilities for the management of the professional preparation program are clearly assigned and that an organizational structure exists that defines the accountability for decision making regarding the professional preparation program by the college or university.

(3) To ensure that the resources necessary to develop and maintain quality professional preparation programs are available and being used appropriately.

(4) To ensure that procedures for selecting and retaining candidates for the professional preparation program are consistent with the goals and objectives of the state board of education.

(5) To ensure that all candidates in the professional preparation program complete a planned program and demonstrate the knowledge and skills described in the state board of education's standards.

(6) To ensure that all candidates in the professional preparation program have ongoing opportunities to participate in school-based learning activities throughout their professional preparation program.

(7) To ensure that the professional preparation program is based on a theoretical and research-based framework, reviewed regularly, and revised on the basis of the evaluation of the program and relevant new knowledge in the field.

#### **AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)**

**WAC 180-78-010 DEFINITION OF TERMS.** The following definitions shall be used in this chapter:

(1) "College or university" means any regionally accredited baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops professional programs of preparation in education which are submitted to the state board of education for approval.

(2) "Endorsement" means a specification placed on a certificate to indicate the subject area, grade level,

and/or specialization for which the individual is prepared to teach or serve as an administrator or educational staff associate.

(3) "Interstate compact" means the contractual agreement among several states authorized by RCW 28A.93.010 and 28A.93.020 which facilitates interstate reciprocity.

(4) "Program approval" means the approval by the state board of education of a professional preparation program within Washington state.

(5) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical or laboratory settings. Such learning experiences are related to specific program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-028 PROCEDURES FOR INITIAL APPROVAL OF A PROFESSIONAL PREPARATION PROGRAM.** Each college or university desiring to establish a professional preparation program shall comply with the following:

(1) Advise the superintendent of public instruction of the desire to establish the professional preparation program.

(2) Establish, pursuant to WAC 180-78-065, the appropriate professional education advisory board.

(3) Develop, with the assistance of the professional education advisory board and designated officials of the superintendent of public instruction, a written plan which provides timelines for the implementation of all applicable program approval standards during the first year of the professional preparation program and submit such report to the superintendent of public instruction for review and comment and, if requested, resubmit such plan to the superintendent of public instruction.

(4) Present the written plan to the state board of education which shall approve such written plan and grant initial approval status if the state board of education is satisfied that the college or university intends to meet all program approval standards in accordance with reasonable and practical timelines and that the college or university has made the needed commitments, specifically personnel and other resources, to implement the plan: PROVIDED, That prior to making a judgment on the college or university's request for approval, the state board of education shall review, if provided, written and oral evidence presented by the following:

(a) The designated college or university official.

(b) The superintendent of public instruction.

(c) The chair of the applicable professional education advisory board.

(d) Any other official deemed by the state board of education to have a legitimate interest in the approval status of the college or university.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-029 ANNUAL REAPPROVAL PROCESS.** Colleges and universities with professional preparation programs approved by the state board of education shall request reapproval on an annual basis. Such reapproval shall be granted if the college or university provides the superintendent of public instruction with the following:

(1) An affidavit from the dean or director of the college, school, or other designation of the administrative unit required by WAC 180-78-150(5) that he or she has determined, to the best of his or her knowledge, that the professional preparation program is in compliance with the program approval rules for the professional preparation program or that the college or university has adopted a compliance plan which, in the opinion of the superintendent of public instruction, will bring the program into compliance as soon as reasonably practicable.

(2) The annual report as required by WAC ((+80-78-045)) 180-78-047.

(3) PROVIDED, That if the college or university is unable to provide the assurances required in subsection (1) of this section or if the superintendent of public instruction—after notice to the affected college or university and a reasonable opportunity for such college or university to resubmit—notifies the state board of education that the report required by WAC ((+80-78-045)) 180-78-047 is not in compliance, such college or university may make its request for reapproval directly to the state board of education. The state board of education shall make its determination regarding approval or disapproval on the basis of written and oral evidence, if provided, presented by the following:

(a) The designated official of the college or university.

(b) The superintendent of public instruction.

(c) The chair of the affected professional education advisory board.

(d) Any other official deemed by the state board of education to have a legitimate interest in the approval status of the college or university.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-033 PROBATIONARY STATUS.** Colleges and universities with approved professional preparation programs shall not lose official approval status until the superintendent of public instruction formally notifies the college or university that the state board of education has taken final action to disapprove the professional preparation program: PROVIDED, That colleges or universities shall be permitted for the current and one additional academic year following receipt of the formal notice of disapproval to continue as an approved professional preparation program on probationary status for the sole purpose of completing the professional preparation program for those candidates for certification currently enrolled in the professional preparation program and who are scheduled to complete

such professional preparation program within such academic years and for the purpose, if elected, to regain state board of education approval.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-047 ANNUAL REPORT BY COLLEGES AND UNIVERSITIES.** Each college or university offering an approved professional preparation program shall submit by ((June 30th)) July 31 of each year, an annual report containing the following:

- (1) The minutes of each professional education advisory board.
- (2) The number of candidates recommended for initial and continuing certificates by type of certificate and endorsement areas.
- (3) Other material related to the professional preparation programs requested by the superintendent of public instruction.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-057 APPROVAL OF COURSES OFFERED BY AN OUT-OF-STATE COLLEGE OR UNIVERSITY APPLICABLE TO CERTIFICATION.** In order for any education course offered by an out-of-state college or university within the state of Washington to be applicable to Washington state certification, prior approval must be obtained by the out-of-state college or university from the state board of education or its designee within the office of the superintendent of public instruction.

A course offered under such circumstances must comply with the following requirements to qualify for approval:

(1) ((Be offered by a college or university which has met the provisions of chapter 28B.05 RCW or be exempt therefrom;

(2))) Be offered by a college or university which is accredited in its respective region by the regional accrediting association ((and accredited by the Northwest Regional Accrediting Association to offer courses or programs in Washington state));

(2) Be offered by a college or university which has had its Washington based course offerings reviewed and approved during the accreditation process required in subsection (1) of this section;

(3) Be offered by a college or university which is approved in its respective home state for purposes of preparing personnel for certification to serve in the common schools;

(4) ((Meet the "state board of education standards for off-campus offerings in education;"

(5))) File an application and provide evidence to the state board of education that the preceding requirements are met:

((6))) (5) PROVIDED, That no college or university within the state of Washington having an approved professional education program shall be required to accept such course work as part of a certificate program: AND

PROVIDED FURTHER, That no out-of-state college or university shall offer a program of courses within Washington state for purposes of Washington state certification without meeting all program approval requirements set forth in this chapter.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-063 RESPONSIBILITIES OF DEANS, DIRECTORS, OR OTHER DESIGNATED ADMINISTRATOR.** Each college or university operating an approved professional preparation program shall require the dean, director, or other designee of the administrative unit required by WAC 180-78-150(5) to coordinate the following college or university responsibilities:

- (1) Formation of professional education advisory boards.
- (2) Management of operations and resources for each professional preparation program.
- (3) Filing of affidavits and reports required by this chapter and chapter 180-75 WAC.
- (4) Dissemination of information relative to initial and continuing certification procedures and requirements.
- (5) The application process for professional certification.
- (6) Establishing and administering a process to counsel and assist applicants in the processing of applications for initial and continuing certificates and endorsements thereon: PROVIDED, That colleges and universities need not provide such assistance to applicants who have completed less than fifteen quarter (ten semester) hours of course work at the respective college or university.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-073 QUALIFICATION TO BE APPOINTED TO PROFESSIONAL EDUCATION ADVISORY BOARDS.** Except as otherwise provided in WAC 180-78-074, appointees to service on professional education advisory boards from required agencies, other than the designee of the college or university president, at the time of their appointment must be employed in or reside in a school district with which the college or university has a current ((contract)) written agreement to provide field experiences for students involved in the professional preparation program for which the professional education advisory board has responsibility. The purpose of this section is to ensure that the interest of such districts are considered in the deliberative process of the respective professional education advisory board.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-075 PROFESSIONAL EDUCATION ADVISORY BOARD FOR TEACHER PREPARATION PROGRAMS.** The professional education advisory board for the teacher preparation program shall consist of the following:

(1) One-half or more of classroom teachers appointed by the president of the Washington education association from nominations submitted by the presidents of local units of the association: PROVIDED, That a private college or university that has placed more than fifty percent of its graduates of the teacher certification program within the previous three academic years in private schools may appoint up to one-half of the classroom teachers required by this subsection from nominations from faculties of private schools in which the college or universities places student teachers or teachers.

(2) One or more principals appointed by the president of the ((Washington)) association of Washington school ((administrators)) principals.

(3) One or more administrators appointed by the president of the ((association of)) Washington association of school ((principals)) administrators.

(4) One or more college or university faculty or administrators appointed by the college or university president including the chief administrator for the teacher preparation program at the college or university, as designated by the college or university president. Such chief administrator shall serve as the executive officer of the board and shall be responsible for administering all board activities, including liaison with faculty: PROVIDED, That if the college or university elects to have such chief administrator or faculty or administrators serve as a nonvoting member, such membership shall not count for the purpose of compliance with subsection (1) of this section.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-125 RESPONSIBILITIES OF PROFESSIONAL EDUCATION ADVISORY BOARDS.** Professional education advisory boards shall perform the following responsibilities:

(1) Elect a chair of the professional education advisory board.

(2) Adopt bylaws which are consistent with the provisions of this chapter.

(3) Meet at the call of the chair of the professional education advisory board or as provided in the bylaws of the professional education advisory board which, in either case, shall be at least four meetings per calendar year.

(4) Advise the college or university regarding the development, implementation, and revision of the professional preparation program for the area represented by the professional education advisory board.

(5) Review, evaluate, and make recommendations for each of the specific requirements of WAC 180-78-145 (2)((b)).

(6) Advise the superintendent of public instruction of needed changes in the administrative code affecting the professional preparation program for which the professional education advisory board has responsibility.

(7) Review each year one or more program approval standards of WAC 180-78-140 and, as needed, formally notify the college or university in writing of changes the professional education advisory board believes are necessary or required to bring the college or university into

compliance with the program approval standards for the professional preparation program and, based upon such review, provide formal recommendations pursuant to subsection (4) of this section.

(8) Advise the quality review team as provided in WAC 180-78-190(3).

(9) Perform any other function which has the mutual written approval of the college or university and the professional education advisory board.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-140 PROGRAM APPROVAL STANDARDS FOR APPROVED PREPARATION PROGRAMS.** The program approval standards for an approved preparation program are as follows:

(1) **PROFESSIONAL EDUCATION ADVISORY BOARDS:** The college or university, in conformance with the provision of WAC 180-78-145, has established and maintained a professional education advisory board to participate in and cooperate with the college or university on decisions related to the development, implementation, and revision of each professional preparation program—i.e., teacher, administrator, and affected educational staff associates.

(2) **SEPARATE ADMINISTRATIVE UNIT:** A separate college, school, department, or other administrative unit within the college or university, in conformance with the provision of WAC 180-78-150, has been established and maintained as responsible for professional preparation programs, including development of professional preparation programs, including curriculum, admission standards, and other matters related to the professional preparation programs.

(3) **ADEQUATE RESOURCES:** Adequate resources, in conformance with the provision of WAC 180-78-155, have been committed and are available to the professional preparation program in the areas of personnel, finance, learning resources, physical facilities, equipment, materials, and supplies that permit the offering of quality professional preparation programs.

(4) **CANDIDATE ADMISSION AND RETENTION POLICIES:** Policies, in conformance with the provision of WAC 180-78-160, have been established and maintained for admission to and retention in the professional preparation program.

(5) **CANDIDATE KNOWLEDGE AND SKILLS POLICIES:** Policies, in conformance with the provision of WAC 180-78-165, have been established and maintained requiring all candidates for certification to demonstrate knowledge and skills required ((in the state's requirements)) for the particular certificate and areas of endorsement.

(6) **CANDIDATE FIELD EXPERIENCE POLICIES:** Policies, in conformance with the provision of WAC 180-78-170, have been established and maintained requiring all candidates for certification to complete a field experience required ((in the state's requirements)) for the particular certificate.

(7) **PROGRAM DEVELOPMENT:** The college or university, in conformance with the provision of WAC 180-78-175, has based the components of the professional preparation program on a theoretically sound and research-

based framework, has established procedures for the review of such theory and research regularly, and has made a commitment to revise the professional preparation program based on evaluation of the program and relevant new knowledge in the field.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-145 EVIDENCE OF COMPLIANCE WITH PROFESSIONAL EDUCATION ADVISORY BOARD APPROVAL STANDARD.** The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the program ((board)) approval standard of WAC 180-78-140(1).

(1) The professional education advisory board has been established in accordance with WAC 180-78-075 through 180-78-120.

(2) The professional education advisory board has carried out its responsibilities under WAC 180-78-125. In determining compliance with this subsection, the following written documentation must be available for review:

(a) Documentation is available that the professional education advisory board has participated in a review of and made recommendations about:

(i) The plan to provide all candidates for certification with field experiences with ((culturally diverse)) ethnic, racial, and cultural populations and with special education and highly capable students.

(ii) Proposed revisions in the professional preparation program to reflect local district policies related to changing demographics, curriculum, organization, and federal and state laws, including administrative rules and case law.

(iii) The policies used to develop agreements between the college/universities and agencies providing field sites for field experiences.

(iv) Alternative professional preparation programs, if developed.

(v) The curriculum materials and media collection.

(vi) The evaluation data, including course, field, and follow-up data, on the professional preparation program's effectiveness.

(vii) The extent to which the college or university addresses the state board of education standards.

(viii) Recent professional developments which may impact the design of the professional preparation program.

(b) Written minutes are available for each meeting of each professional education advisory board including: Attendance by individuals and the agencies they represent, agenda items, substantive issues discussed, actions taken, and a list of all recommendations for change.

(c) Documentation from the college or university is available showing that each recommendation from each professional education advisory board during each academic year has been considered and acted upon by faculty committees or administrators—depending upon college or university governance—and, if delayed, modified, or not adopted, a rationale provided to the professional education advisory board as to why a recommendation

was delayed, modified, or not adopted. All recommendations from professional education advisory boards shall be forwarded to appropriate faculty committees or administrators within two months of formal receipt by the chief administrator of the professional preparation program.

**AMENDATORY SECTION** (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-150 EVIDENCE OF COMPLIANCE WITH SEPARATE ADMINISTRATIVE UNIT PROGRAM APPROVAL STANDARD.** The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the separate administrative unit program approval standard of WAC 180-78-140(2):

(1) The composition and organization of the separate administrative unit is clearly described in writing, including the relationship of the unit to the total administrative and decision-making structure of the institution.

(2) The structure for maintaining effective two-way communications between the separate education unit and other affected departments within the college or university is described in writing.

(3) A clear, well-established, comprehensive set of written policies and procedures related to administration and operations exists and are made available to affected parties.

(4) Policy actions are accurately reported in the written records of the administrative unit. There is evidence that policies are reviewed, revised when necessary, implemented, and enforced.

(5) An officially designated administrator is responsible for the management of operations and resources for each professional preparation program.

(6) Specific staff members are assigned responsibility for advising applicants for certification and endorsements and ((maintain)) for maintaining accurate certification records.

(7) The decision-making structure for the separate administrative unit ensures participation of affected professional education advisory boards, faculty, and students.

**AMENDATORY SECTION** (Amending Order 7-88 [18-88], filed 3/3/88 [10/7/88])

**WAC 180-78-160 EVIDENCE OF COMPLIANCE WITH CANDIDATE ADMISSION AND RETENTION POLICIES PROGRAM STANDARD.** The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate admission and retention policies program standard of WAC 180-78-140(4):

(1) Incentives and affirmative action procedures have been established to recruit quality candidates from underrepresented groups including those from diverse economic, racial, and cultural backgrounds. Support programs are provided to assist such candidates in successfully completing the professional preparation program.

(2) Admission requirements to the professional preparation programs include:

(a) A minimum 2.5 college or university undergraduate grade point average (based upon a zero to four point scale) calculated on the basis of the most recent 45 quarter (30 semester) credits.

(b) Evidence that the candidate is competent in the basic skills required for oral and written communication and computation.

(c) A combined score of not less than the state-wide median score for the prior school year scored by all persons taking the Washington Pre-College Test (WPCT) or an equivalent standard score on the comparable portions of the Scholastic Aptitude Test (SAT) American College Test (ACT), or the Graduate Record Examination (GRE). Equivalent standard scores shall be determined by the superintendent of public instruction and affected agencies shall be notified in official bulletins of the superintendent of public instruction.

(d) PROVIDED, That until June 30, 1989, college and universities with approved preparation programs may permit candidates to enter the professional preparation program with a minimum composite score of eighty or more on the verbal and quantitative subtests of the WPCT or an equivalent score on the comparable portion of the SAT, ACT, or GRE.

(e) PROVIDED FURTHER, That a candidate who does not meet one of the criteria within this subsection may be admitted on probationary status if the college or university provides individual tutorial assistance to such candidate and the candidate is required to meet the above stated criteria prior to participation in a field experience and exiting from the approved preparation program.

(3) Criteria for the selection and retention of candidates are relevant to the attainment of program outcomes and available for review by applicants, students, and faculty. These written criteria may include, but not be limited to, faculty recommendations, evidence of demonstrated competency in academic and professional work, and written recommendations from appropriate professionals in the schools.

(4) A written process exists describing the procedures for:

(a) Counseling and advising students about progress and retention in the professional preparation program.

(b) Supervision and evaluation relative to the completion of the professional preparation program.

(c) The appeal process for decisions relative to admission or retention in the professional preparation program.

(d) Providing information to candidates regarding supply and demand conditions in the candidate's field.

(e) Admission and retention of nontraditional candidates, such as midcareer candidates who wish to enter professional preparation programs, if established.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

WAC 180-78-165 EVIDENCE OF COMPLIANCE WITH CANDIDATE KNOWLEDGE AND SKILLS POLICIES PROGRAM APPROVAL STANDARD. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate's knowledge and skills policies program approval standard of WAC 180-78-140(5):

(1) The applicable program approval requirements of WAC 180-78-210 through 180-78-300 are incorporated into course and field experience requirements of all candidates in the professional preparation program.

(2) Courses and field experiences addressing the state standards are evaluated by the students as to the extent to which the required state standards have been covered and by the instructor as to the extent to which the candidates achieve and/or demonstrate mastery of the required standards.

(3) Candidates complete the professional preparation program approved by the state board of education.

(4) The programs of study for each endorsement area include the state's minimum essential areas of study. Any additional requirements for an endorsement are developed by using the national association of state directors of teacher education and certification (or other professional association) standards as guidelines. The recommended course of study, including alternatives, shall be available for students and evaluation pursuant to this section.

(5) Examples of test questions and answers, performance assessments, and other forms of evaluations used in courses, practica and other aspects of the program, verify the demonstration of all minimum state standards, including the respective general and role-specific minimum state standards.

(6) The required programs of study in each professional preparation program are designed to provide for individual differences in learner rate and style. The required course of study, including alternatives, for each professional preparation program—i.e., teacher, educational staff associate, and administrator—shall be available for students and evaluation pursuant to this section.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

WAC 180-78-170 EVIDENCE OF COMPLIANCE WITH CANDIDATE FIELD EXPERIENCE POLICIES PROGRAM APPROVAL STANDARD. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate field experience policies program approval standard of WAC 180-78-140(6):

(1) Field experiences prior to student teaching, practicum, or internship requirements shall consist of no less than forty hours of structured observation of one or more professionals serving in the role for which the candidate is being prepared.

(2) Agreements exist between the college or university and the agencies providing field sites for field experiences which specify the role of the involved agencies and the responsibilities and contributions each will make to the field program.

(3) Candidates participate in structured experiences with ((culturally diverse)) ethnic, racial, and cultural populations and with special education and highly capable students. Such experiences provide opportunities for candidates to understand the unique contributions, similarities, differences, interdependencies, and special needs of students with particular emphasis on those from varying racial, cultural, linguistic, and socio-economic backgrounds.

(4) Field experiences integrate theory and practice and are documented by written records which describe:

(a) Specifications for selecting field sites and field personnel.

(b) Criteria for assigning students to field settings, including provisions for changes in assignments if necessary.

(c) Responsibilities of college and university supervisors and school personnel working with candidates in planning, instruction, observation, evaluation, and/or grading.

(d) ((Program outcomes, as described in the appropriate state standards)) Knowledge and skills relevant to the respective roles specified in WAC 180-78-205 through 180-78-325.

(5) ((College or university supervisors and)) School personnel working with candidates for the required eight weeks field experiences must have had three years experience in the role supervised (i.e., as a teacher, administrator, or ESA), have been oriented to their responsibilities, and have been given training by the college or university and/or school district in their role and responsibilities.

(6) Records of observations are maintained for each candidate in the professional preparation program. Such records shall document at least eight hours of observation by a college or university supervisor.

(7) Standards for evaluating the candidate's successful completion of the required student teaching, practicum, or internship shall include the following categories:

(a) The state's minimum criteria, as set forth in chapter 392-191 WAC, for the evaluation of certificated employees, if applicable to the role.

(b) The state's general and role specific skills as set forth in WAC 180-78-205 through 180-78-325.

(c) Current research findings as reported in relevant professional publications.

#### AMENDATORY SECTION (Amending Order 7-88, filed 3/3/88)

**WAC 180-78-193 EXIT EXAMINATION REQUIREMENT—MANDATORY TOPICS.** The examination shall be divided into three parts as follows:

(1) Part I shall address each of the general knowledge requirements specified in WAC 180-79-131 common to and required in the training of all candidates for professional certification—i.e., teachers, administrators, and educational staff associates.

(2) Part II shall address each of the general knowledge requirements specified in WAC 180-79-136 common to and required in the training of all candidates for teaching certificates.

(3) Part III shall address each of the general knowledge requirements as set forth in WAC 180-79-140 common to and required in the training of all candidates for administrative certificates.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-78-045 ANNUAL REPORTS.

**WSR 89-01-042**

**ADOPTED RULES**

**STATE BOARD OF EDUCATION**

[Order 27-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to Professional certification—Preparation requirements, chapter 180-79 WAC.

This action is taken pursuant to Notice No. WSR 88-21-107 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.70-005 and 28A.04.120(3) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 2, 1988.

By Monica Schmidt  
Secretary

#### AMENDATORY SECTION (Amending Order 6-78, filed 5/26/78)

**WAC 180-79-005 PURPOSE.** The purposes of this chapter are to ((implement RCW 28A.04.120(3) and chapter 28A.70 RCW and)) establish the various certificates which must be held as a condition to employment in the Washington school system and establish the conditions and procedures governing issuance and retention of those and other certificates, including endorsements thereon.

#### AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

**WAC 180-79-010 DEFINITIONS.** The following definitions shall apply to terms used in this chapter:

(1) The terms, ("agency,") "program approval," ("accreditation,") "endorsement," "interstate compact," and "college or university," as defined in WAC 180-78-010 shall apply to the provisions of this chapter.

(2) "Certificate" means the license issued by the superintendent of public instruction to teachers, administrators, and educational staff associates verifying that the individual has met the requirements set forth in this chapter.

(3) ("Certificate reinstatement" means the process whereby the validity of a continuing certificate may be reestablished.

((4)) "Certificate renewal" means the process whereby the validity of an initial certificate may be continued.

((5)) "Certificate revocation" means the process whereby an individual's certificate is rescinded.

((6)) (4) "Classroom teaching" means instructing pupils in a classroom setting.

((7)) "Educational setting" means any setting, the primary purpose for which is to instruct/teach or to provide services to children, youth, or adults or to administer education programs. This shall include but not be limited to state board of education approved in-state public and nonpublic schools; out-of-state K-12 schools; preschools; vocational schools; professional education associations; school board agencies; state and federal agencies or committees and private foundations primarily concerned with education programs; educational service districts; the office of the superintendent of public instruction; and institutions of higher education.

(8) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical and laboratory settings. Such learning experiences are related to specified program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.))

## NEW SECTION

WAC 180-79-047 CONVERSION TO NEW STANDARDS. Notwithstanding any provision of WAC 180-79-045 to the contrary, any person who holds a provisional or initial certificate issued under previous standards of the state board of education shall be eligible to apply for and receive a continuing certificate under standards in effect at the time of application.

## AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-060 LEVELS OF CERTIFICATES. Two levels of certification may be issued:

(1) Initial certificate. The initial teaching certificate is valid for two years and the initial administrator and educational staff associate certificates are valid for seven years. Initial teaching certificates shall be subject to renewal and reinstatement pursuant to WAC 180-79-065. Initial administrator and educational staff associate certificates shall not be subject to renewal but may be reinstated pursuant to WAC 180-79-065(4): PROVIDED, That initial teaching certificates issued or applied for, if

the candidate is otherwise eligible, prior to August 31, 1992, shall be valid for four years.

(2) Continuing certificate. The continuing certificate is valid on a continuing basis as specified in WAC 180-79-065(2).

## AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-063 APPROVED MASTERS DEGREE—DEFINITION. "Approved masters degree" for the purpose of this chapter means a masters or doctorate degree from a regionally accredited college or university in teaching ((or)), arts, science, ((and)) or humanities: PROVIDED, That a candidate who ((holds)) obtains a masters or doctorate degree in another field will not be required to obtain ((a second)) the specified masters degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed thirty upper division and/or graduate quarter hours (twenty semester hours) of post baccalaureate course work in one of the subject areas of the endorsements listed in WAC 180-79-080.

## AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-065 INITIAL AND CONTINUING CERTIFICATES ((LAPSE, RENEWAL, AND REINSTATEMENT))—APPLICABLE CONDITIONS. The following shall apply to initial and continuing certificates issued pursuant to this chapter:

(1) Initial certificate.

(a) An initial teacher certificate issued prior to August 31, 1992, and an initial educational staff associate or administrator certificate issued prior to August 31, 1988, may be renewed ((once)) for ((a)) an additional three-year period on application and verification that the individual has completed all course work requirements for continuing certification or has completed at least fifteen quarter hours (ten semester hours) of course work since the ((initial)) certificate was issued or renewed.

(b) An initial teaching certificate issued on or after August 31, 1992 may be renewed for a three-year period by the applicant providing proof that he or she is enrolled in an approved masters degree program. A second renewal for a two-year period shall be granted if the candidate provides the following information from the degree granting institution:

(i) That the candidate has made substantial—i.e., fifty percent or more—progress toward the completion of an approved masters degree;

(ii) That the candidate has made satisfactory progress in the approved masters degree program;

(iii) That the candidate has made satisfactory arrangements to complete the approved masters degree program during the two-year extension period.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987 and who applied for such certificates prior to July 1, 1988 or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-

year experience requirement and who complete such requirement and apply for such certificate prior to August 31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC.

(3) Recency of training. Prior to August 31, 1993, if an applicant for an initial certificate ((has not previously held a Washington or other state professional certificate and)) has not completed fifteen quarter (ten semester) hours of course work within the seven years immediately preceding application for such initial certificate, he/she will be required to complete fifteen quarter (ten semester) hours of course work prior to receipt of an initial certificate.

((4) ~~Reinstatement of initial certificates. Initial certificates may be reinstated pursuant to the provisions of WAC 180-75-087 and shall be subject to the same terms and conditions as renewal of an initial certificate.~~))

#### AMENDATORY SECTION (Amending Order 13-87, filed 6/16/87)

#### WAC 180-79-075 CERTIFICATE ENDORSEMENT. Professional education certificates shall be endorsed as follows:

(1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s): PROVIDED, That notwithstanding provisions of this chapter to the contrary, applicants who have completed all requirements for continuing teaching certificates pursuant to WAC 180-79-060 prior to August 31, 1987, and whose certificates are applied for prior to July 1, 1988, and applicants who have completed all requirements except one of the three-year experience requirement for continuing teaching certificates pursuant to WAC 180-79-060 and who complete such requirement and apply for such certificates prior to August 31, 1988, and applicants who complete the requirements for standard certificates or continuing certificates pursuant to WAC 180-80-705 shall receive no endorsements.

(2) Educational staff associate certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates shall identify the field of specialization (principal, program administrator, superintendent) by endorsement.

Principals' initial certificates shall be endorsed for grades preschool-9, 4-12, or preschool-12 based on recommendations from the college or university in which the candidate completed an approved preparation program.

(4) In order to change or add an endorsement to any certificate, the candidate must complete an application,

pay the certification fee specified in WAC 180-75-065, and submit verification of completion of the necessary requirements specified in this chapter.

#### AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

#### WAC 180-79-086 MINIMUM PREPARATION FOR ENDORSEMENTS FOR TEACHERS. Endorsements granted teachers shall comply with the following:

(1) Endorsements—with the exception of the broad subject area endorsements of English/language arts, music, science, and social studies, which shall require the satisfactory completion of a minimum of forty-five quarter hours (thirty semester hours) of course work—shall require the satisfactory completion of a minimum of twenty-four quarter hours (sixteen semester hours) of course work—not including any practice teaching, internship, or other clinical or field laboratory experience courses—in the subject area in a regionally accredited institution of higher education or in a college or university with a professional preparation program approved by the state board of education pursuant to chapter 180-79 WAC.

(2) Reasonable flexibility shall be permitted in establishing equivalencies for specified subject area course work. The test for substitution of an equivalent course for a stated subject area course is a factual determination that the subject matter content of the equivalent course, or combination of courses, substantially complies with the generally recognized course content of the subject area course.

((3) ~~The superintendent of public instruction shall present to the state board of education prior to January 1, 1988, recommendations for rule adoption which will authorize specific examinations and qualifying scores which will authorize the granting of endorsements in grade levels and subject areas in lieu of the course work prescribed in subsection (1) of this section.~~))

#### AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

#### WAC 180-79-117 EXPERIENCE REQUIREMENT FOR CONTINUING CERTIFICATION—TEACHERS. In addition to the academic requirements specified in WAC 180-79-115, candidates for continuing teachers' certificates shall provide, as a condition for the issuance of a continuing certificate, documentation of two years of continuous half time or more((, for the full school year;)) teaching experience with the same employer—((e.g.)) i.e., school district, state agency, college or university, private school, or private school system.

#### AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

#### WAC 180-79-120 ACADEMIC REQUIREMENTS FOR CERTIFICATION—ADMINISTRATORS. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-75-085.

(1) Superintendent.

## (a) Initial.

(i) The candidate who applies for an initial certificate on or before August 31, 1992, shall hold a master's degree and complete at least fifteen quarter hours (ten semester hours) of graduate study beyond the master's degree in education-related course work and shall hold or be eligible to hold a valid initial or continuing teacher or ESA certificate at the time he or she applies for the initial superintendent's certificate.

(ii) The candidate who applies for an initial certificate after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least forty-five quarter hours (thirty semester hours) of graduate level course work in education.

## (b) Continuing.

(i) The candidate who applies for a continuing certificate on or before August 31, 1992, shall have completed at least thirty quarter hours (twenty semester hours) of graduate work beyond the master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least sixty quarter hours (forty semester hours) of graduate level course work in education or shall hold a doctorate in education.

## (2) Principal.

## (a) Initial.

(i) The candidate who applies on or before August 31, 1992, shall hold a valid initial or continuing teacher certificate at the time he or she applies for the initial principal's certificate and shall have completed at least thirty quarter hours (twenty semester hours) of work applicable to a graduate degree subsequent to receipt of a baccalaureate degree in an approved program for preparation of principals.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least thirty quarter hours (twenty semester hours) of graduate level course work in education.

## (b) Continuing.

(i) The candidate who applies on or before August 31, 1992, shall hold a master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and completed subsequent to the baccalaureate degree at least forty-five hours (thirty semester hours) of graduate level course work in education or shall hold a doctorate in education.

## (3) Program administrator.

## (a) Initial.

(i) The candidate who applies on or before August 31, 1992, shall hold a valid initial or continuing teacher or educational staff associate certificate at the time he or she applies for the program administrator's initial certificate and shall hold a master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree, a masters degree required for an educational staff associate certificate, a masters degree in school nursing, occupational therapy

or physical therapy, or a masters degree in public, education, or business administration and have completed subsequent to the baccalaureate degree at least twenty-four quarter hours (sixteen semester hours) of graduate level course work in education.

## (b) Continuing.

(i) The candidate who applies on or before August 31, 1992, shall have completed at least fifteen quarter hours (ten semester hours) of graduate work subsequent to the master's degree relevant to educational administration or his or her subject matter field(s) or specialization(s).

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree, a masters degree required for an educational staff associate certificate, a masters degree in school nursing, occupational therapy, physical therapy, or a masters degree in public, education, or business administration and have completed subsequent to the baccalaureate degree at least thirty quarter hours (twenty semester hours) of graduate level course work in education or shall hold a doctorate in education.

**AMENDATORY SECTION** (Amending Order 3-88, filed 2/17/88)

**WAC 180-79-122 EXPERIENCE REQUIREMENT FOR INITIAL ENDORSEMENT—PRINCIPALS.** In addition to the academic requirements specified in WAC 180-79-120(2), candidates for initial administrator's certificate with a principal's endorsement, as a condition for the issuance of such endorsement, documentation of two year<sup>(1)</sup>s of continuous half time or more<sup>((, for the full school year;))</sup> teaching experience with the same employer—<sup>((e.g.:))</sup> i.e., school district, state agency, college or university, private school, or private school system.

**AMENDATORY SECTION** (Amending Order 3-88, filed 2/17/88)

**WAC 180-79-125 ACADEMIC REQUIREMENTS FOR CERTIFICATION—EDUCATIONAL STAFF ASSOCIATE (ESA).** Candidates for ESA certification shall complete the following requirements in addition to those set forth in WAC 180-75-085: PROVIDED, That it shall not be necessary for any candidate who holds a master's or doctorate degree to obtain <sup>((a second))</sup> the specified master's degree if the candidate provides satisfactory evidence to the superintendent of public instruction that he or she has completed all course work requirements relevant to the required masters degree and has satisfactorily completed a comprehensive written examination required in such masters degree program: PROVIDED, That if <sup>((the))</sup> any candidate has been awarded a masters degree without a comprehensive written examination, the candidate <sup>((may))</sup>, as a condition for certification, shall arrange to take such an examination with any accredited college or university and provide the superintendent of public instruction with an affidavit from the chair of the department of such academic field that he or she has successfully completed the above noted comprehensive examination.

(1) Communication disorders specialist.

(a) Initial. The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major in speech pathology and/or audiology.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology and/or audiology.

(2) School counselor.

(a) Initial. The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major in counseling.

(b) Continuing. The candidate shall hold a master's degree with a major in counseling.

(3) School occupational therapist.

(a) Initial.

(i) The candidate shall have completed an approved or accredited baccalaureate degree program in occupational therapy.

(ii) The candidate shall hold a valid license as an occupational therapist in Washington state.

(b) Continuing. The candidate shall have completed the requirements for an initial endorsement as a school occupational therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in occupational therapy, other health sciences, or education.

(4) School physical therapist.

(a) The candidate shall hold a baccalaureate degree in physical therapy from a college or university having an approved or accredited school of physical therapy or the candidate shall hold a baccalaureate degree and a certificate in physical therapy from an accredited school of physical therapy.

(i) The candidate shall hold a valid license as a physical therapist in Washington state.

(b) Continuing. The candidate shall have completed the requirements for an initial endorsement as a school physical therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in physical therapy, other health sciences, or education.

(5) School psychologist.

(a) Initial.

The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major or specialization in school psychology.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in school psychology.

(6) Reading resource specialist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major or specialization in reading.

(ii) The candidate shall hold or have held a teaching certificate.

(b) Continuing. The candidate shall have completed the requirements for an initial certificate as a reading resource specialist and shall hold a master's degree with a major or specialization in reading.

(7) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing and have completed at least fifteen quarter hours (ten semester hours) of post baccalaureate upper division or graduate work in education, nursing, or other health sciences.

(b) Continuing. The candidate shall have completed the requirements for an initial endorsement as a school nurse and have completed at least ((forty-five)) an additional thirty quarter hours ((thirty)) twenty semester hours of graduate work in education, ((community health, nursing or school)) nursing or other health sciences.

(8) School social worker.

(a) Initial.

The candidate shall have completed all requirements for a master's degree in social work except special projects or thesis.

(b) Continuing. The candidate shall hold a master's degree in social work.

**AMENDATORY SECTION** (Amending Order 3-88, filed 2/17/88)

**WAC 180-79-127 EXPERIENCE REQUIREMENT FOR CONTINUING CERTIFICATION—ESAS.** In addition to the academic requirements specified in WAC 180-79-179, candidates for continuing educational staff associate certificates shall provide, as a condition for issuance of a continuing certificate, documentation of two years of continuous half time or more((, for the full school year,)) employment in the respective role with the same employer—((e.g.)) i.e., school district, educational service district, state agency, college or university, private school, or private school system.

**NEW SECTION**

**WAC 180-79-128 SUPERVISED EXPERIENCE REQUIREMENT FOR CONTINUING CERTIFICATION.** In order to obtain a continuing certificate, educational staff associates who hold initial ESA certificates must demonstrate their respective knowledges and skills while employed in that role by passing a one-quarter or one-semester college or university course that includes peer review. The college or university shall establish the procedures for the peer review with advice from the respective professional education advisory board.

**AMENDATORY SECTION** (Amending Order 4-87, filed 4/3/87)

**WAC 180-79-300 SUBJECT AREA ENDORSEMENT RECOMMENDATIONS BY COLLEGES AND UNIVERSITIES.** Applicants for subject area endorsements may apply directly to a Washington college or university with an approved preparation program in the particular subject area. Only applicants who have provided sufficient evidence of completion of the required course work and the essential areas of study for the particular subject area endorsement or who have

passed written examinations pursuant to WAC 180-79-303 shall be recommended, by the college or university, to the superintendent of public instruction for an endorsement in such subject area: PROVIDED, That nothing within this chapter precludes a college or university from adopting additional requirements as conditions for recommendation, by such college or university, to the superintendent of public instruction for a particular subject area endorsement.

#### NEW SECTION

**WAC 180-79-303 ENDORSEMENT BY EXAMINATION.** In lieu of completing the required number of credit hours and the essential areas of study, or any portion of such requirements, Washington colleges and universities with an approved preparation program for teachers may waive all or any portion of the requirement for a particular endorsement and recommend the candidate to the superintendent of public instruction for the particular endorsement if the following conditions are met:

(1) The candidate is required to demonstrate subject matter competency for all or a portion of the requirement waived through passage of one or more written examinations.

(2) In the case of waiver of an essential area of study, a faculty member regularly responsible for teaching a course which covers that essential area of study must attest to the fact that the proposed examination is of sufficient scope and depth to evaluate the candidate's knowledge of the essential area of study.

#### AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

**WAC 180-79-305 SUBJECT AREA ENDORSEMENTS THROUGH SPI.** Applicants for subject area endorsements may apply directly to the superintendent of public instruction for a particular subject area endorsement. The application for a particular subject area endorsement shall include the following:

(1) A list of the essential areas of study for a particular subject area endorsement.

(2) Space ((following each essential area of study)) for the applicant to document ((in narrative form)) the college or university credit hours and/or approved in-service education programs which meet the credit hour requirements in the essential area of study.

(3) Space for the applicant to list all college or university credit hours and approved in-service education programs which are applicable to the minimum credit hour requirements and to indicate which type of evidence—i.e., college transcripts, in-service records, or other reliable documentation—will be forwarded to the superintendent of public instruction.

(4) An affidavit to be signed by the applicant that the information submitted is accurate.

#### AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

**WAC 180-79-315 IN-SERVICE IN LIEU OF COLLEGE AND UNIVERSITY CREDIT HOURS.**

The following shall govern the substitution of approved in-service education—i.e., sponsored by an approved in-service education provider pursuant to chapter 180-85 WAC—toward the minimum course work credit hours for a particular subject area endorsement and/or for meeting an essential area of study:

(1) The in-service education program must be offered by an in-service education agency approved pursuant to chapter 180-85 WAC.

(2) The in-service education program must be specifically designed by the in-service education agency to serve as a substitute for course work in the specified subject area or areas and/or as meeting a designated essential area of study. The criterion for determining whether the in-service education program is specifically designed for such purpose is whether the in-service program's content is recognized as equivalent in content to what is generally recognized as the content of an equivalent course in an accredited college or university.

(3) The length of the in-service education program is at least ten continuing education hours.

(4) The in-service education agency must hold the recipient accountable for successful completion of the in-service education program through evaluation by an examination or some other work product provided by the recipient.

(5) The in-service education agency must provide the recipient with a letter, certificate, or other written document which indicates the following:

(a) The in-service education agency has been approved by the state board of education.

(b) The subject area or areas and/or the designated essential area of study for which the in-service education program was specifically designed to meet.

(c) The number of continuing education hours awarded.

(d) A statement that the recipient received a passing mark on an examination or some other work product which was evaluated by the in-service education agency.

(6) ((For the 1987-88 school year,)) The in-service education agency must provide the superintendent of public instruction with the following fourteen calendar days prior to commencement of the in-service program:

(a) The dates and location of places where the in-service program will be offered.

(b) The names and qualification of the instructor or instructors who will be assisting in the in-service program.

(c) An outline of the topics to be covered within each in-service session ((and which college or university courses are deemed equivalent to the in-service program)).

(d) A description of the examination or work product which will be used to evaluate the participants.

(e) An invitation for a representative of the superintendent of public instruction and representative of the professional education advisory committee to attend and observe the in-service program.

(7) Upon completion of an in-service education program ((during the 1987-88 school year)), the in-service education agency must provide the superintendent of public instruction the following:

(a) A copy of all program materials distributed to participants.

(b) A copy of the evaluation instrument and the results therefrom.

(8) Provided, that no more than one-third of the minimum course work credit hours required for a subject area endorsement may be met through in-service based on ten hours of approved in-service education for one-quarter hour of credit.

**AMENDATORY SECTION** (Amending Order 4-87, filed 4/3/87)

**WAC 180-79-317 EVALUATION OF IN-SERVICE IN LIEU OF COLLEGE AND UNIVERSITY CREDIT HOURS BY PEAC.** The professional education advisory committee shall review materials submitted to the superintendent of public instruction pursuant to WAC 180-79-315, conduct an evaluation of such in-service programs, and report to the superintendent of public instruction and the state board of education its recommendation regarding the continuation of such program and/or the advisability of removing or modifying the limitation on number of in-service credit hours that may be applied to an endorsement. Such report shall be presented by January, ((+1989)) 1992.

**AMENDATORY SECTION** (Amending Order 4-87, filed 4/3/87)

**WAC 180-79-396 SPECIAL EDUCATION—SUBJECT AREA ENDORSEMENT.** In order to receive an endorsement in special education, the candidate shall have completed the minimum course work credit hours in the subject area of special education, including, but not limited to, credit hours in each of the following essential areas of study:

(1) Exceptionality.

(2) Alternative delivery systems and strategies for special education.

(3) Student assessment and evaluation.

(4) Procedural and substantive legal issues in special education.

(5) Instructional methods in special education.

((6) Child growth and development.))

**REPEALER**

The following section of the Washington Administrative Code is repealed:

**WAC 180-79-007 EFFECTIVE DATES OF SPECIFIED SECTIONS.**

**WSR 89-01-043**

**ADOPTED RULES**

**STATE BOARD OF EDUCATION**

[Order 28-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle,

Washington, that it does adopt the annexed rules relating to Professional certification—Continuing education requirement, chapter 180-85 WAC.

This action is taken pursuant to Notice No. WSR 88-21-109 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.70-005 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 2, 1988.

By Monica Schmidt  
Secretary

**AMENDATORY SECTION** (Amending Order 10-87, filed 6/1/87)

**WAC 180-85-020 EFFECTIVE DATE AND APPLICABLE CERTIFICATES.** The provisions of this chapter shall apply to the following certificates issued on or after August 31, 1987:

(1) Continuing certificates as provided in chapter 180-79 WAC.

(2) Standard certificates as provided ((in chapters 180-80 and 180-84 WAC)) under previous standards of the state board of education.

(3) PROVIDED, That applicants who have completed all requirements for a continuing or standard certificates prior to August 31, 1987, and who apply for such certificate prior to July 1, 1988, and applicants who have completed all requirements for a continuing or standard certificate except one of the three—years experience requirement prior to August 31, 1987, and who completes such requirement and applies prior to August 31, 1988, shall be exempt from the continuing education requirements of this chapter.

**AMENDATORY SECTION** (Amending Order 8-86, filed 6/10/86)

**WAC 180-85-025 CONTINUING EDUCATION—DEFINITION.** As used in this chapter, the term "continuing education" shall mean:

(1) All college and/or university credit awarded by a regionally accredited institution of higher education ((or by a college or university with a professional preparation program approved by the state board of education pursuant to chapter 180-78 WAC)).

(2) All continuing education credit hours awarded by a vocational-technical institute pursuant to WAC 180-85-030(3) and 180-85-083 and all continuing education credit hours awarded in conformance with the in-service education procedures and standards specified in this chapter by an approved in-service education agency.

AMENDATORY SECTION (Amending Order 16-87, filed 12/21/87)

**WAC 180-85-030 CONTINUING EDUCATION CREDIT HOUR—DEFINITION.** As used in this chapter, the term "continuing education credit hour" shall mean:

(1) For each college or university semester hour credit, fifteen hours of continuing education credit hours shall be granted.

(2) For each college or university quarter hour credit, ten hours of continuing education credit hours shall be granted.

(3) For each sixty minutes of instruction in course work provided by a vocational-technical institute, one continuing education credit hour shall be granted.

(4) For each sixty minutes of approved in-service education including reasonable time for breaks((;)) and passing time ((and organized meals if such meals are included within the planned in-service education program)), one continuing education credit hour shall be granted. In the application of this subsection, the in-service education provider shall determine what is reasonable ((and what is within the planned in-service education program)).

((4))) (5) In the application of this section, approved in-service credit hours shall not include:

(a) Routine staff meetings((;))—such as district, building, or area meetings within an agency, district, or building((;))—to discuss or explain operational policies or administrative practices within the agency, district, or building;

(b) Business meetings of professional associations to discuss operational policies or practices of the association;

(c) ((Breaks, passing time, organized)) Social hours, independent study, or actual meal time((, or other recesses held within an in-service program if such time exceeds one hour per each five hours (i.e., twenty percent) of approved continuing education hours)).

((5))) (6) In the application of this section, for the purpose of official records of the amount of in-service credit hours, the in-service provider or the superintendent of public instruction shall round continuing education credit hours down to the nearest half hour of credits actually completed—i.e., .50, and .00—and in no case shall an applicant receive credit for an in-service program that was less than a total of three continuing education credit hours.

AMENDATORY SECTION (Amending Order 8-86, filed 6/10/86)

**WAC 180-85-075 CONTINUING EDUCATION REQUIREMENT.** Each holder of a professional education certificate affected by this chapter shall be required to complete one hundred fifty credit hours of continuing education prior to his or her ((initial)) first lapse date and during each period between subsequent lapse dates.

AMENDATORY SECTION (Amending Order 8-86, filed 6/10/86)

**WAC 180-85-080 COLLEGE AND UNIVERSITY TRANSCRIPTS.** Holders of certificates affected by this chapter, from time to time, shall cause the transmission ((to the superintendent of public instruction)) of official college or university transcripts by such college or university to the superintendent of public instruction which substantiate the completion of course work that the holder desires to have applied to his or her continuing education requirement. Such transcript shall be recorded by the superintendent of public instruction in the holder's certification file. However, the holder must notify the superintendent of public instruction that the transcript has been submitted to the superintendent of public instruction for application to his or her continuing education credit hours as a condition to receiving such credit hours.

NEW SECTION

**WAC 180-85-083 VTI COURSE HOUR VERIFICATION.** Holders of certificates affected by this chapter, from time to time, shall cause the transmission of official vocational-technical institute transcripts or other official documentation by such vocational-technical institute to the superintendent of public instruction which substantiate the completion of course work hours of instruction that the holder desires to have applied to his or her continuing education requirement. Such documentation shall be recorded by the superintendent of public instruction in the holder's certification file. However, the holder must notify the superintendent of public instruction that the transcript or other documentation has been submitted to the superintendent of public instruction for application to his or her continuing education credit hours as a condition to receiving such credit hours.

AMENDATORY SECTION (Amending Order 16-87, filed 12/21/87)

**WAC 180-85-085 IN-SERVICE EDUCATION RECORDS.** Holders of certificates affected by this chapter who do not claim credit pursuant to WAC 180-85-080 for the same in-service education program shall cause the transmission of the necessary information to claim continuing education credit hours by the in-service provider to the superintendent of public instruction, on forms provided or approved by the superintendent of public instruction and distributed to registrants by the in-service provider((, of the necessary information to claim continuing education credit hours)). Such holders shall be notified on such form that the intentional misrepresentation of a material fact on such form subjects the holder to revocation of his or her certificate pursuant to chapter ((+80-79)) 180-86 WAC and that a copy of such completed form should be retained by the holder for possible disputes arising under this chapter and for other purposes that may arise, including verification of in-service hours completed for a current or prospective employer.

**AMENDATORY SECTION** (Amending Order 8-86, filed 6/10/86)

**WAC 180-85-120 APPEAL FROM DETERMINATION OF LAPSED STATUS.** Any certificate holder who contests the determination by the superintendent of public instruction that his or her certificate has lapsed shall be entitled to appeal such determination in accordance with the procedures specified in chapter 180-86 WAC ((~~180-75-020 through 180-75-033~~)). Any such appeal shall operate as a stay of lapsing until a final administrative level decision has been rendered.

**AMENDATORY SECTION** (Amending Order 16-87, filed 12/21/87)

**WAC 180-85-200 IN-SERVICE EDUCATION APPROVAL STANDARDS.** In-service education programs provided by approved in-service education agencies shall meet the following program standards:

(1) The objectives of the in-service program—i.e., intended outcomes—shall be written for each in-service education program.

(2) The content of the in-service education program shall be set forth in a program agenda which shall specify the topics to be covered, the days and times of each presentation, and the names and short description of qualifications of each instructor—e.g., degrees and current professional position.

(3) All in-service education instructors shall have academic and/or professional experience which specifically qualifies them to conduct the in-service education program—e.g., a person with expertise in a particular subject, field, or occupation.

(4) Program materials, including the program agenda, prepared, designed, or selected for the in-service education program shall be available to all attendees.

(5) The in-service education program shall be evaluated by the participants to determine the success of the program, including the following:

(a) The extent to which the written objectives—i.e., subsection (1) of this section—have been met;

(b) The quality of the physical facilities in which the program was offered;

(c) The quality of the oral presentation by each instructor;

(d) The quality of the written program materials provided by each instructor; and

(e) Suggestions for improving the in-service education program if repeated.

(6) The in-service education agency shall compile the evaluations required in subsection (5) of this section in summary form.

(7) The designated administrator of each in-service education program shall assess the value and success of such program and periodically report his or her findings to the governing or advisory board which authorized the in-service program.

(8) The standards for recordkeeping as provided in WAC 180-85-205 shall apply.

(9) The in-service education agency must permit a designated representative of the superintendent of public instruction to attend the in-service education program at

no charge and permit such representative to receive a copy of the program materials required by subsection (4) of this section also at no charge.

(10) The in-service education agency must provide each registrant with appropriate forms for claiming continuing education credit hours.

(11) Note: The provisions of this section and WAC 180-85-202 do not apply to credit hours awarded by a college or university or course work continuing education hours awarded by a vocational-technical institute.

**AMENDATORY SECTION** (Amending Order 16-87, filed 12/21/87)

**WAC 180-85-202 PRIOR NOTICE TO SPI OF SPONSORSHIP OF AN IN-SERVICE PROGRAM.** Prior to the offering of an in-service education program by an approved in-service education agency, such agency shall submit to the superintendent of public instruction, at least thirty calendar days prior to such offering, a notice of sponsorship, on forms provided by the superintendent of public instruction. The notice of sponsorship shall contain such information as requested by the superintendent of public instruction and the following information attached:

((1)) (~~The written objectives of the in-service program as required by WAC 180-85-200(1).~~)

((2))) The program agenda for the in-service program as required by WAC 180-85-200(2).

((3))) (2) The evaluation form as required by WAC 180-85-200(5).

((4))) (3) PROVIDED, That, if the in-service education program is also being offered for college or university credit hours, such agency need not submit the notice of sponsorship to the superintendent of public instruction until at least ten calendar days prior to the offering.

(4) PROVIDED, That a single application shall be sufficient for an in-service program that is held at different sites for different registrants during the same school year as long as such multiple offerings are noted on the application form and any application may be amended to note an additional site if submitted to the superintendent of public instruction at least ten calendar days prior to such offering.

(5) PROVIDED FURTHER, That, if the superintendent of public instruction reviews such notice of sponsorship and advises the in-service education agency of deficiencies, such deficiencies must be remedied prior to the offering of the in-service program or the program offering shall be disapproved.

**AMENDATORY SECTION** (Amending Order 5-87, filed 4/3/87)

**WAC 180-85-225 APPEAL TO STATE BOARD OF EDUCATION.** Any finding of noncompliance by the superintendent of public instruction pursuant to WAC ((~~180-85-120~~)) 180-85-220 may be appealed to the state board of education for review. The filing of a notice of appeal shall cause a stay of any order by the superintendent of public instruction until the state board of education makes an independent determination on the

issue of substantial compliance. If the state board of education concurs that the approved in-service education agency has failed to substantially comply with the applicable provisions of this chapter, the state board of education shall prescribe the corrective action necessary to achieve substantial compliance. Such agency or department or section within such agency, whichever is applicable, upon receipt of notice of action by the state board of education, shall be denied the authority to grant any continuing education credit hours for any subsequent in-service education program until the agency provides an assurance to the superintendent of public instruction that corrective action prescribed by the state board of education will be implemented.

**WSR 89-01-044  
ADOPTED RULES  
STATE BOARD OF EDUCATION**  
[Order 29-88—Filed December 14, 1988]

Be it resolved by the State Board of Education, acting at the Windward Room, Seattle Hilton, Seattle, Washington, that it does adopt the annexed rules relating to Professional certification—Masters in teaching degree, chapter 180-81 WAC.

This action is taken pursuant to Notice No. WSR 88-21-108 filed with the code reviser on October 19, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18A.04.172 [28A.04.172] and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 2, 1988.

By Monica Schmidt  
Secretary

**Chapter 180-81 WAC  
PROFESSIONAL CERTIFICATION—MASTERS  
IN TEACHING DEGREE**

**WAC**

180-81-003	Authority.
180-81-005	Purpose.
180-81-010	Compliance with this chapter necessary for certification.
180-81-015	Application for degree approval.
180-81-020	Admission standard—Program approval requirement.
180-81-025	Certification standard—Program approval requirement.
180-81-030	Academic advising—Program approval requirement.
180-81-035	Comprehensive written examination—Program approval requirement.

**180-81-040** Program review—Program approval standard.

**NEW SECTION**

**WAC 180-81-003 AUTHORITY.** The authority for this chapter is RCW 28A.04.172 which authorizes the state board of education to develop the standards for a masters in teaching degree.

**NEW SECTION**

**WAC 180-81-005 PURPOSE.** The purpose of this chapter is to set forth the standards for a masters in teaching degree.

**NEW SECTION**

**WAC 180-81-010 COMPLIANCE WITH THIS CHAPTER NECESSARY FOR CERTIFICATION.** From colleges and universities within the state of Washington, only masters in teaching degrees that are approved pursuant to the provisions of this chapter shall be recognized as masters in teaching degrees for the purpose of chapter 180-79 WAC.

**NEW SECTION**

**WAC 180-81-015 APPLICATION FOR DEGREE APPROVAL.** Any college or university operating an approved preparation program for teachers may apply to the state board of education for approval of its masters in teaching degree. Such approval shall be granted upon documentation that the program approval standards within this chapter are being met.

**NEW SECTION**

**WAC 180-81-020 ADMISSION STANDARD—PROGRAM APPROVAL REQUIREMENT.** The college or university shall establish admission requirements to its masters in teaching degree program. Such requirements shall be at least equal to the admission standards for the graduate school at such college or university and shall be approved by the governing board of the college or university.

**NEW SECTION**

**WAC 180-81-025 CERTIFICATION STANDARD—PROGRAM APPROVAL REQUIREMENT.** The masters in teaching degree shall be awarded only to candidates who have completed an approved professional preparation program for teachers in the state of Washington.

**NEW SECTION**

**WAC 180-81-030 ACADEMIC ADVISING—PROGRAM APPROVAL REQUIREMENT.** The college or university shall establish a procedure to advise and counsel masters in teaching candidates which, among other matters, advises the candidate about the certification requirements within chapters 180-75, 180-77, and 180-79 WAC. Such candidate shall be advised

that such requirements are not necessarily fulfilled by the awarding of a masters in teaching degree.

## NEW SECTION

**WAC 180-81-035 PROGRAM REVIEW—PROGRAM APPROVAL STANDARD.** Prior to submission of an application for approval of its proposed masters in teaching degree program, the college or university shall submit its proposed application, for review and comment, to its professional education advisory board for the teacher preparation program.

**WSR 89-01-045**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON INSTITUTE**  
**OF APPLIED TECHNOLOGY**  
[Memorandum—November 28, 1988]

The following regular 1989 board meetings are scheduled at 7:30 a.m. in the WIAT Sixth Floor Boardroom:

January 25  
March 29  
May 31  
July 26  
September 27  
November 29

Special meetings may be scheduled the last Wednesday of even numbered months if the board decides they are needed.

**WSR 89-01-046**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Family Independence Program Executive Committee)  
[Memorandum—December 9, 1988]

Following are the dates, times and places of the Family Independence Program Executive Committee meetings February through December 1989:

February 21, 1989	9:30 – 12	General Administration Building First Floor Conference Room
March 29, 1989	9:30 – 12	General Administration Building First Floor Conference Room
April 18, 1989	9:30 – 12	General Administration Building First Floor Conference Room
May 24, 1989	9:30 – 12	General Administration Building First Floor Conference Room
June 28, 1989	9:30 – 12	General Administration Building First Floor Conference Room
July 26, 1989	9:30 – 12	General Administration Building First Floor Conference Room
August 30, 1989	9:30 – 12	General Administration Building First Floor Conference Room
September 27, 1989	9:30 – 12	General Administration Building First Floor Conference Room
October 25, 1989	9:30 – 12	General Administration Building First Floor Conference Room
November 29, 1989	9:30 – 12	General Administration Building First Floor Conference Room
December 27, 1989	9:30 – 12	General Administration Building First Floor Conference Room

**WSR 89-01-047**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Order 2733—Filed December 14, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Progressive evaluation process Step IV—Multiple impairments, amending WAC 388-37-140.

This action is taken pursuant to Notice No. WSR 88-22-085 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 13, 1988.

By Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2652, filed 7/8/88)

**WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV—MULTIPLE IMPAIRMENTS.** (1) When an individual has two or more diagnosed impairments, each of which is rated at least "02" or greater, but none rated "05," the department shall determine the overall severity rating ((shall be determined as follows:

((a))) and classify each diagnosis ((shall be classified)) according to body system based upon the International Classification of Diseases (ICD), 9th revision((;));

((b))) (2) The department shall not consider severity ratings assigned for alcoholism or drug addiction in this process.

((c))) (3) If all the diagnosed impairments are classified within the same body system, the department shall determine the overall severity rating ((will)) by considering:

((d))) (a) The rating to be equal to the highest rated impairment within that system; or

((e))) (b) ((Severity ratings assigned for alcoholism or drug addiction shall not be considered in this process)) In the case of multiple mild impairments, the rating may be raised to a "03" if the cumulative effects of these impairments significantly interfere with one or more basic work-related activities.

((f))) (4) If more than one body system is involved (including mental disorders), the department shall determine the overall severity ((will be determined by the following)) using the highest rating from each body system by considering:

(a) An individual with at least two moderate impairments or at least one marked and one moderate impairment ((is considered)) to have an overall severity rating of "04";

(b) An individual with at least two marked impairments ((is considered)) to have an overall severity rating of "05";

(c) An individual with no individual impairments rated moderate or marked, but who has two or more impairments individually rated mild, ((shall be considered)) to have an overall severity rating of "03" if the cumulative effect of these impairments significantly interferes with one or more basic work-related activities.

((3)) (5) Based on the overall severity rating, the department makes a determination of incapacity ((is made)) as follows:

(a) Determines an individual with an overall severity rating of "05," who meets the time limits in WAC 388-37-030(1) is eligible for GA-U;

(b) Evaluates individuals with a severity rating of "03" or "04" ((must be evaluated)) to determine how their multiple physical and/or mental impairments affect their functional capacity;

(c) Considers individuals with a severity rating of "02" ((shall be considered)) capable of gainful employment and ineligible for GA-U as provided under WAC 388-37-110 (4)(a).

ENFORCEMENT. (1) The ((requirement for cooperation of the applicant/recipient in WAC 388-24-109)) department shall ((be waived)) waive the requirement for client cooperation in WAC 388-24-109 if ((the department)) it determines ((that such)) cooperation would not be in the best interest of the ((child(ren) for whom assignment has been made according to WAC 388-24-108)) eligible child.

(2) The ((applicant/recipient must be informed)) department shall inform a client of:

(a) ((The)) How establishing paternity may benefit((s)) the child ((may receive from establishing paternity.)); and

(b) Their right to claim good cause ((for refusing)) not to cooperate ((as specified in WAC 388-14-200 (2)(a), (b) and (c) and 388-24-109)).

(3) The ((applicant/recipient)) department shall require the client who claims ((to have)) good cause ((for refusing to cooperate must)) to:

(a) Provide evidence ((of at least one of)) supporting the good cause circumstances; or

(b) Provide ((sufficient)) enough information ((t)), such as the ((putative father or)) absent parent's name and address(()), to permit ((an investigation to determine)) the department to investigate the existence of ((any of)) the claimed circumstances specified in subsection (6) of this section.

(4) When ((an applicant/recipient)) a client claims to have good cause ((for refusing to cooperate)), the ((CSO social service)) department IV-A staff will determine ((that good cause exists only)) if ((it finds that)):

(a) The evidence supplied by the ((applicant/recipient)) client establishes that cooperation would be against the best interest of the child; or

(b) Investigation of the claimed circumstances ((of the case confirms the applicant's/recipient's claim)) confirms that cooperation would be against the best interest of the ((child(ren))) child.

(5) The ((final determination by the CSO social service staff that good cause does or does not exist)) department shall:

(a) ((Shall be made)) Determine good cause, as quickly as possible ((within thirty days from claim)), ((unless exceptional circumstances such as those described)) according to time limits in WAC 388-38-110 ((occur and longer period of time is required.));

(b) ((Shall be)) Notify the client in writing ((and contain)) of the ((CSO)) department findings and basis for determination(()); and

(c) ((Shall also be entered into)) Document the determination and basis in the financial and service records.

(6) ((The CSO social service)) Department IV-A staff ((will)) shall determine that cooperation ((in establishing paternity and/or securing support)) is against the best interest of the child ((only)) if:

(a) The ((applicant's/recipient's)) client's cooperation ((is)) can reasonably be anticipated to result in physical ((harm)) or emotional harm which ((clearly demonstrates observable consequences substantially impairing)) impairs the functioning of ((either)):

**WSR 89-01-048  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 2737—Filed December 14, 1988]

I, Leslie F. James, director of Administrative Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to good cause not to cooperate with support enforcement, amending WAC 388-24-111.

This action is taken pursuant to Notice No. WSR 88-21-034 filed with the code reviser on October 12, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 12, 1988.

By Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 1390, filed 4/26/79)

WAC 388-24-111 GOOD CAUSE ((FOR FAILURE)) NOT TO COOPERATE WITH SUPPORT

(i) The child ((for whom support is to be sought)); or  
(ii) The ((parent or)) caretaker relative ((with whom)) to the ((child is living which)) extent the impairment reduces ((the parent or caretaker relative's)) their capacity to care for the child adequately; or

(b) ((At least one of the following circumstances exists, and the CSO social service staff believes that because of the existence of that circumstance, in the particular case, proceeding)) To establish paternity or secure support, it would be detrimental to the child ((for whom support would be sought)) and:

(i) The child ((for whom support is sought)) was conceived as a result of incest or ((forcible)) rape;

(ii) Legal adoption proceedings ((for the adoption)) of the child are pending before a superior court; or

(iii) The ((applicant/recipient)) parent is ((currently being assisted by)) working with a public or licensed ((child-placing)) child-placement agency, for up to three months, to ((resolve the issue of)) decide whether to keep ((the child)) or relinquish ((it)) the child for adoption((, and the discussions have not gone on for more than three months)).

(7) ((Acceptable)) The department shall limit evidence ((upon which the CSO social service staff will base a determination of)) used to determine good cause((;)) without further investigation((, is limited)) to the following ((documents)):

(a) Birth ((certificates or)), medical, or law enforcement records which ((indicated that)) show the child was conceived as the result of incest or ((forcible)) rape;

(b) Court ((documents)) or other records which ((indicate that legal)) show proceedings for adoption are pending before a superior court;

(c) Court, medical, criminal, child protective services, social services, psychological, or law enforcement records which ((indicate that)) show the ((putative father or)) absent parent might ((inflict physical or emotional)) harm ((on)) the child or ((parent or)) caretaker relative;

(d) Medical records ((which indicate emotional health history and present emotional health status)) or written statements from a mental health professional ((indicating)) with a diagnosis or prognosis ((concerning the emotional health of the parent or caretaker relative or the child(ren) for whom support would be sought. The recommendation of the mental health professional or the indication of the medical records must be that)) which show cooperation by the ((parent or)) caretaker relative would not be in the best interest of the ((child(ren))) child; or

(e) ((A written statement which includes the dates of counseling from a public or licensed child-placing)) Child-placement agency ((that the applicant/recipient is being assisted by the agency to resolve)) verification, including the dates of counseling, regarding the issue of whether to keep ((the child)) or relinquish ((it)) the child for adoption.

(8) Upon request, the ((CSO with)) department shall assist the ((applicant/recipient)) client in obtaining the required evidence.

(9) If the ((applicant/recipient)) client cannot ((present)) obtain required evidence ((as outlined in

subsection (7) of this section and still wishes)) yet continues to claim good cause, the ((applicant/recipient must)) client shall provide information ((which will enable)) to allow the ((CSO)) department to ((conduct an investigation regarding)) investigate the circumstances of the claim. ((A determination that)) The department may base good cause ((exists may be based)) on any verifying information acceptable to the ((CSO social service staff.)) department; however, during the investigation the ((CSO)) department:

(a) Shall not contact the absent parent ((or alleged father from whom support would be sought)) unless ((such contact is determined to be)) necessary to establish the good cause claim; and

(b) Prior to ((making)) such ((necessary)) contact, shall notify and allow the ((applicant/recipient and give them)) client the opportunity to:

(i) Present additional evidence or information ((so)) that makes contact ((with the absent parent or putative father becomes)) unnecessary; or

(ii) Withdraw the application for assistance; or

(iii) Request a fair hearing.

(10) ((For every)) Where the department bases good cause ((determination which is based in whole or in part upon the anticipation of)) on emotional harm ((to the child, the custodial parent or the caretaker relative)), the ((CSO social service staff)) department shall consider and document ((its findings regarding)) the following factors:

(a) The past and present emotional state of the individual subject to emotional harm;

(b) ((The emotional health history of the individual subject to emotional harm;

((c))) The ((intensity)) degree and probable duration of the emotional upset;

((d))) (c) The degree of cooperation to be required; and

((e))) (d) The ((extent of involvement of the)) child's involvement in the paternity establishment or support enforcement activity ((to be undertaken)).

(11) ((In the process of making)) Department IV-A staff shall determine if support enforcement could proceed without risk of harm to the child or caretaker relative and the collection activities would not involve their participation. If there is no risk, IV-A staff shall:

(a) Document this decision in the case file; and

(b) Notify the client of this decision so he or she may withdraw the application; and

(c) Provide available information about the absent parent to IV-D staff if the application is not withdrawn.

(12) Prior to a final determination of good cause ((for refusal to cooperate)), ((the CSO social service)) IV-A staff shall:

(a) ((Afford the office of support enforcement)) Give IV-D staff the opportunity to review and comment on the finding(s) and basis for the proposed determination;

(b) Consider ((any recommendation from the office of support enforcement)) IV-D comments or recommendations; and

(c) Provide ((the office of support enforcement)) IV-D staff the opportunity to participate in any fair hearing

((that results from an applicant's/recipient's appeal of any determination)) based on a good cause claim.

((+2)) (13) ((Assistance)) The department shall not ((be denied, delayed)) deny or ((discontinued)) delay assistance for a pending ((a determination of)) good cause ((for refusal to cooperate)) determination if the ((applicant/recipient has complied)) client is cooperating with the requirements to furnish evidence or information((, if the applicant/recipient is otherwise eligible)).

((+3)) (14) If ((the CSO social service)) IV-A staff ((makes a determination of good cause on the basis of circumstances specified in subsection (6) of this section)) determine any collection activity may place the child or caretaker relative at risk, ((no attempt)) the department shall ((be made)) not attempt to establish paternity or secure support. ((This determination shall be in writing, contain the CSO's findings and basis for determination, and be entered into the financial and service records.))

((+4)) (15) ((The CSO social service)) IV-A staff shall ((periodically)) review, ((not less frequently than)) at least at each eligibility review, all active good cause cases ((in which a finding of good cause for refusal to cooperate has been made)). If ((it determines that)) good cause no longer exists, ((it will rescind its decision and)) the department shall require ((cooperation by the applicant/recipient)) the client to cooperate.

((+5)) (16) ((If the CSO social service staff determines that)) When good cause does not exist:

(a) The ((applicant/recipient)) department shall ((be so notified)) notify the client and ((afforded)) afford the opportunity to cooperate, withdraw ((their)) the application ((for assistance)), ((have the case closed;)) or request a fair hearing; and

(b) Continued refusal to cooperate shall result in the loss of AFDC eligibility for the caretaker relative as specified in WAC 388-24-108(2).

((+6)) (17) The ((CSO)) department shall maintain records ((concerning its activities under this section)) of good cause claims.

((+7)) (18) ((The CSO will)) IV-A staff shall promptly report to ((the office of support enforcement)) IV-D staff those cases in which:

(a) ((All cases in which)) Good cause has been claimed and a determination is pending;

(b) ((All cases in which it has been determined that there is)) A determination of good cause ((for refusal to cooperate)) exists;

(c) ((All cases in which it has been determined)) A determination that ((there is not)) good cause ((for refusal to cooperate)) does not exist; and

(d) ((All cases in which)) A fair hearing has been requested((, and

(e) Results of subsequent eligibility reviews in cases previously determined to have good cause)).

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

## WSR 89-01-049

### ADOPTED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

### (Public Assistance)

[Order 2738—Filed December 14, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to support enforcement, amending chapter 388-14 WAC.

This action is taken pursuant to Notice No. WSR 88-15-046 filed with the code reviser on July 15, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 275, Laws of 1988 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 13, 1988.

By Leslie F. James, Director  
Administrative Services

### AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-030 CONFIDENTIALITY. (1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the office provides support enforcement services, are private and confidential. The office shall disclose information and records only as follows:

(a) The office shall disclose information and records only to:

(i) Persons or entities listed and for the specific purpose or purposes stated in federal law;

(ii) The person who is the subject of the information or records, unless the information or records is exempt under RCW 42.17.310;

(iii) Local, state, and federal government agencies for support enforcement and related purposes;

(iv) A party to a judicial proceeding or a hearing under chapter 34.04 RCW, if the presiding officer enters an order to disclose. The order shall be based upon a written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;

(v) Parties under contract, if disclosure will allow them to assist in the management or operation of the program;

(vi) To persons or entities when necessary to the administration of the program or the performance of functions and duties as set forth in state and federal law. The office may publish information about responsible parents for locate and enforcement purposes;

(vii) Persons, representatives, or entities if the person who is the subject of the information and records consents, in writing, to disclosure;

(viii) The office of hearings for administration of the hearing process under chapter 34.04 RCW: PROVIDED HOWEVER, That the office of hearings shall not include the address of the physical custodian in an administrative support order, or disclose the physical custodian's address to the responsible parent, except as provided in subsection (1)(a)(iv) of this section. The support order shall state that the address is known by the Washington state support registry and inform the parties they may obtain the address by submitting a request for disclosure to the office of support enforcement under this section.

(b) The last known address of, or employment information about, a party to a court or administrative order for, or a proceeding involving, child support may be given to another party to the order. This information may only be used to establish, enforce, or modify a support order. Disclosure of this information is subject to other limitations listed in this section;

(c) The last known address of natural or adoptive children may be given to a parent, who has a court order granting him or her visitation rights with, legal custody of or residential time with their natural or adoptive children. This information may only be used to enforce the terms of the court order;

(d) The Social Security number or numbers of the dependent child or children may be disclosed to the absent parent to enable the parent to claim the dependency exemption or exemptions as authorized by the Internal Revenue Service.

(2) The rules and procedures set forth in chapter 388-320 WAC, relating to the process for requesting and disclosing information and records, are applicable to requests for disclosure under this section.

(3) The office shall take timely action on requests for disclosure. The office shall respond in writing within ten working days of receipt of the request, unless the request is for disclosure of the address of the physical custodian or the dependent children. The office shall respond to requests for addresses within ten days of the date the thirty-day notice period, provided for in subsection (5) of this section, expires.

(4) The following provisions apply to requests for disclosure of the address of the physical custodian or dependent children under subsection (1)(b) and (c) of this section:

(a) The office shall not release the address if:

(i) The department has determined, under WAC 388-24-111, that the physical custodian has good cause for refusing to cooperate;

(ii) The order, upon which the request is based, restricts or limits a requesting party's right to contact or visit the other party or the children by imposing conditions to protect the physical custodian or the children from harm.

(b) Persons shall submit requests for disclosure in writing and in person, with satisfactory evidence of identity, at any office of the office of support enforcement;

(c) If the request is made by the person's attorney, the office shall waive the provisions regarding submission in person with satisfactory evidence of identity;

(d) If the person resides outside the state of Washington, the office shall waive the provision requiring submission in person if the person submits a notarized request for disclosure and complies with the requirements of subsection (4)(e) of this section;

(e) The requester shall attach the following to a request for disclosure of an address:

(i) A copy of the superior court or administrative order upon which the request is based. The office shall waive this provision if the office has a true copy of the order on file;

(ii) A sworn statement by the individual that the order has not been modified;

(iii) A statement explaining the purpose of the request and how the information will be used.

(5) Prior to disclosing ((an)) the address of the physical custodian or children, the office shall mail a notice to the last known address of the ((party whose address has been requested)) physical custodian, except as provided in subsection (6) of this section. The notice shall advise the ((party)) physical custodian that:

(a) A request for disclosure has been made; and

(b) The office will disclose the address, to a person under subsections (1)(b) and (c) of this section, after thirty days from the date of the notice, unless the office receives a copy of a court order which:

(i) Enjoins disclosure; or

(ii) Restricts the requesting party's right to contact or visit the other party or the children by imposing conditions to protect the physical custodian or the children from harm, including, but not limited to, temporary orders for protection under chapter 26.50 RCW.

(6) The office will not mail a notice prior to disclosure:

(a) If the requesting party can show the other party will likely flee and that:

(i) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of the child or children to the requesting party; and

(ii) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(iii) The child or children were taken or enticed from the physical custody of the requesting party without the requesting party's consent; and

(iv) The requesting party has not subsequently assented to being deprived of physical custody of the children; and

(v) The requesting party is making reasonable efforts to regain physical custody of the child or children; or

(b) When the child or children are receiving foster care services under chapter 74.13 RCW.

(7) If the child or children are receiving foster care services, parties shall contact their local community services office for disclosure of address information.

(8) The rules of confidentiality and penalties for misuse of information and reports that apply to employees of the department also apply to persons who receive information under this section.

(9) Nothing in these rules shall be construed:

(a) To prevent the office from disclosing information and records when such disclosure is necessary to the

performance of its duties and functions as provided by state and federal law;

(b) To require the office to disclose information and records obtained from a confidential source.

**AMENDATORY SECTION** (Amending Order 2606, filed 3/4/88)

**WAC 388-14-200 ELIGIBILITY—ASSIGNMENT OF SUPPORT RIGHTS—COOPERATION WITH OFFICE OF SUPPORT ENFORCEMENT—EFFECT OF NONCOOPERATION.** This section establishes the initial and continuing requirements which affect eligibility for aid to families with dependent children. These requirements also affect eligibility for family independence program services.

(1) Beginning August 1, 1975, as a condition of eligibility for assistance, each applicant/recipient shall make assignment to the office of any and all right, title, and interest in any support obligation the applicant/recipient may have. This includes support rights of any other family member for whom the applicant/recipient is applying for or receiving financial assistance. It also includes rights to support which have accrued at the time such assignment is executed. Through this assignment, the applicant/recipient authorizes the office to provide services for the family, and to continue to provide services after the family stops receiving assistance, until services are terminated under this chapter.

(2) When subsection (1) of this section is satisfied, cooperation is further required as a continuing condition of eligibility for assistance unless the ((ESO)) department determines that the applicant/recipient has good cause not to cooperate under WAC 388-24-111. Cooperation includes, but is not limited to, assisting the office in or by doing the following:

(a) Identifying and locating absent parents by:

(i) Providing all ((known)) relevant information known to, possessed by, or reasonably obtainable by the applicant/recipient about the absent parent, such as the absent parent's:

- (A) Name((;)) and known aliases((;));
- (B) Address((;));
- (C) Telephone number or numbers((;));
- (D) Social Security number((;));
- (E) Employment history((;)); and
- (F) Physical description((;)).

(ii) Providing data regarding the date and place of marriage, separation, divorce, or dissolution, and copies of any documents ((and)), which are reasonably obtainable without fee, including any court orders establishing paternity and/or support obligations;

(iii) Providing information to establish the amount of the support debt accrued prior to the application. Applicants shall give information at the time of application and/or at a later time, if requested by the office, to supplement existing information.

(b) Notifying the office when there are changes in information concerning the absent parent;

(c) Establishing the paternity of a child:

(i) The applicant shall take all reasonable action requested by the office, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts, or other agencies in:

(A) Administrative hearings; or

(B) Actions to prosecute or maintain any legal action or remedy for the establishment of paternity; or

(C) Investigations preparatory to or supplementary to such hearings or actions.

(ii) The applicant shall assist in the development of medical and anthropological evidence relating to the alleged father's paternity based upon tests performed by experts on the mother and the child.

(d) Establishing and collecting support and/or in obtaining support payments or any other payments or property due the applicant/recipient or a dependent child. The applicant shall take all reasonable action requested by the office, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts or other agencies in:

(i) Administrative hearings; or

(ii) Actions to prosecute or maintain any legal action or remedy for the establishment or collection of support obligations; or

(iii) Investigations preparatory to or supplementary to such hearings or actions.

(e) Remitting all support payments the applicant/recipient receives, from any person or agency, to the office ((of support enforcement)) within eight days of receipt of said payments;

(f) Executing a repayment agreement and repaying retained support moneys under the agreement.

(3) An applicant/recipient may attest to the lack of information, under penalty of perjury, if:

(a) He or she submits to an interview:

(i) Conducted by the office, a prosecuting attorney, the attorney general, or private attorney compensated under RCW 74.20.350; and

(ii) Answers questions intended to obtain relevant information.

(b) The requested information is not known to, possessed by, or reasonably obtainable by the applicant/recipient.

(4) Any applicant/recipient who attests to the lack of information shall be considered to be cooperating, as required under this section, unless:

(a) The applicant/recipient fails or refuses to submit to an interview and answer questions;

(b) The department produces credible evidence which shows that the applicant/recipient's attestation is false; or

(c) The applicant/recipient previously gave inconsistent information for which he or she has no reasonable explanation.

(5) The department may not refuse to allow the applicant/recipient to sign an attestation or sanction him or her for failure to cooperate merely because previous attempts to identify an absent parent resulted in blood test results excluding the person identified. The applicant/recipient, however, must cooperate with any necessary retesting.

(6) ((H)) The department shall find the applicant/recipient ineligible to receive assistance if the applicant/recipient fails to cooperate as defined in this section((; the applicant/recipient shall be ineligible to receive assistance)). The department shall provide any assistance for which the children may be eligible as specified in WAC 388-33-453. The department shall compute requirements for the child or children without regard to the requirements of the applicant/recipient.

((4))) (7) If the office, the prosecuting attorney, the attorney general, or a private attorney compensated under RCW 74.20.350, believes the applicant/recipient is not cooperating, they shall notify the community services office of the noncooperation. The notice of noncooperation shall include:

(a) A statement explaining how the applicant/recipient failed to cooperate; and

(b) A statement of the action the applicant/recipient must take to resume cooperation.

(8) The department shall either attach a copy of the notice of noncooperation to, or include the statements from the notice in, the notice of planned action.

(9) If the applicant/recipient fails to cooperate by missing an interview without reasonable excuse, cooperation resumes when the applicant/recipient appears for a rescheduled interview and either provides information or attests to the lack of information. The office, prosecuting attorney, attorney general, or private attorney shall reschedule the interview within seven business days from the date the applicant/recipient contacts them to reschedule an interview.

(10) Cooperation resumes when the applicant/recipient performs the required action. The department shall reinstate the grant effective on the date cooperation resumes.

(11) If the applicant/recipient does not remit support moneys within eight days of receipt as required under WAC 388-14-200 (2)(e)(ii) and the applicant/recipient is currently receiving an AFDC grant, or cash benefits under the family independence program, the office ((of support enforcement)) shall:

(a) Document the applicant/recipient has, in fact, received and retained support moneys and the amount of said money;

(b) Issue a notice of debt as provided in WAC 388-13-020 to the applicant/recipient to recover the payments, which notice includes the following information:

(i) An explanation of the applicant/recipient's responsibility to cooperate by turning over the support moneys as a condition of eligibility for ((AFDC)) public assistance, and the sanction for failure to cooperate;

(ii) A list of the support moneys retained, including the dates and amounts as well as copies of any documentary evidence (such as copies of checks, front and back), the office ((of support enforcement)) possesses;

(iii) A proposed repayment agreement that may include a provision for a voluntary grant deduction;

(iv) An explanation that repaying retained support moneys according to a repayment agreement is a condition of cooperation;

(v) A notice that the recipient may request an informal meeting with ((OSE)) the office, within twenty days of the date of service of the notice of debt, to:

(A) Clarify the recipient's responsibilities for cooperation; and ((to attempt to))

(B) Resolve any differences regarding the existence or amount of the claim for unremitted support moneys and/or the proposed repayment agreement((;));

(vi) A notice that the recipient has the right to request a hearing ((pursuant to)) under WAC 388-13-060 to:

(A) Contest the department's claim of ownership of the support money identified in the notice; and/or

(B) The reasonableness of the proposed repayment agreement((;));

(vii) A statement that the office ((of support enforcement)) will notify the ((ESO)) community services office that the recipient ((has)) failed to cooperate unless the recipient, within twenty days of the date of service of the notice of debt, executes the proposed repayment agreement, requests an informal meeting or requests an administrative hearing.

((5))) (12) The department shall base the repayment agreement ((shall be reasonably related to)) on:

(a) The applicant/recipient's total income and resources including the AFDC grant or cash benefits under the family independence program; and

(b) The total amount of retained support moneys.

((6))) (13) The monthly amount of the repayment shall not exceed ten percent of:

(a) The grant payment standard during any month the applicant/recipient remains in public assistance status, or

(b) The cash benefits paid under the family independence program.

((7))) (14) ((H)) When an applicant/recipient ((has retained)) retains support moneys but is no longer an active recipient of public assistance money, the office ((of support enforcement)) shall proceed ((pursuant to)) under RCW 74.20A.270 and chapter 388-13 WAC, without reference to the procedural requirements of WAC 388-14-200(4).

((8))) (15) The office ((of support enforcement)) shall notify the ((ESO that)) community services office when the recipient ((has failed)) fails to cooperate if:

(a) The recipient fails to sign a repayment agreement for the amount of retained support moneys claimed by ((OSE)) the office in the notice of debt or as determined by an administrative law judge if a hearing is requested ((pursuant to)) under WAC 388-13-060;

(b) The recipient enters into a repayment agreement but subsequently fails to make a payment under the terms of the agreement, or fails to comply with the decision of the administrative law judge.

((9))) (16) The office ((of support enforcement)) shall promptly notify the ((ESO)) community services office when either of the following changes in circumstances occurs:

(a) The recipient ((failing)) fails to enter into a repayment agreement and then consents to do so and signs a repayment agreement;

(b) The recipient ((defaulting)) defaults on an agreement or an administrative decision and then makes a

regularly scheduled payment according to the agreement or decision.

((+0)) (17) Nothing in these rules ((shall be construed to)) make an otherwise eligible child ineligible for public assistance because of the failure of applicant/recipient to cooperate as defined in this section.

**AMENDATORY SECTION** (Amending Order 2606, filed 3/4/88)

**WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT.** (1) The office shall provide services, until such services are terminated under this chapter, when:

(a) The department pays public assistance or provides foster care services;

(b) A former recipient of public assistance is eligible for services under WAC 388-14-302 (a) or (b);

(c) An applicant/custodian requests nonassistance support enforcement services under RCW 74.20.040 and WAC 388-14-302.

(d) A support order or wage assignment order under chapter 26.18 RCW directs that support payments are to be made through the Washington state support registry;

(e) A support order under which there is a current support obligation for the dependent children, is submitted to the Washington state support registry;

(f) A former custodial parent requests services to collect a support debt that has been reduced to a sum certain judgment by the court or agency of competent jurisdiction; and

(g) A child support enforcement agency in another state or foreign country under reciprocal agreement requests support enforcement services.

(2) Whenever possible and/or appropriate under the circumstances, the office shall take action under chapter 74.20A RCW to establish, enforce, and collect the child support obligation. The office may refer appropriate cases to the county prosecuting attorney or attorney general's office when judicial action is required.

(3) The office shall not act to establish paternity or secure child support in any case for which it has received notice that the CSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office shall request that all activities under Title IV-D to establish paternity or secure child support be suspended until the CSO notifies the office of its final determination regarding an applicant or recipient who has claimed good cause. Any agency acting under a cooperative agreement who fails or refuses to comply with the request to suspend activities shall not be entitled to financial participation under the Title IV-D cooperative agreement as to said case or cases upon which the request is made.

(b) A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

(c) The office shall review and comment on the findings and basis for the proposed determination by the CSO.

(d) The office shall be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

(4) The office shall:

(a) Establish, maintain, retain, and dispose of case records in accordance with the department's records management and retention policies and procedures adopted pursuant to chapter 40.14 RCW.

(b) Establish, maintain, and monitor support payment records; and

(c) Receive, account for, and distribute child support payments required under superior court and administrative orders for support.

(5) ((The office shall prepare a notice of satisfaction of judgment and file it with the clerk of the superior court in which the order was entered, when the support obligation under the order has been terminated, and any support debt under the order has been satisfied or is no longer enforceable)) When the office determines a support obligation, established by order of a superior court of this state, has been satisfied or is no longer legally enforceable, the office shall mail a notice of its intent to file a satisfaction of judgment to the last known address of the payee under the order and the responsible parent. The notice shall contain the following provisions:

(a) A statement of the facts the office relied on in making the determination; and

(b) A statement that payee has twenty days to object and request a conference board under WAC 388-14-385, or initiate an action to obtain a judgment from the court that entered the order.

(6) If the conference board or the court determines the support obligation or a support debt still exists, the office shall withdraw the notice and shall make reasonable efforts to enforce and collect the remaining support debt. If not, the office shall file a satisfaction of judgment with the clerk of superior court in which the order was entered.

(7) A support obligation is satisfied or no longer legally enforceable when the obligation to pay current and future support terminates under the order, and:

(a) The support debt owed under the order has been paid in full;

(b) The support debt is no longer enforceable due to the operation of the statute of limitations; or

(c) The office determines the responsible parent has a valid defense to payment of the debt under Washington law; or

(d) Under RCW 74.20A.220, the office determines the debt is uncollectible, grants a total or partial charge-off, or accepts an offer to compromise a disputed debt.

**AMENDATORY SECTION** (Amending Order 2606, filed 3/4/88)

**WAC 388-14-270 DISTRIBUTION OF SUPPORT PAYMENTS—PUBLIC ASSISTANCE.** (1) When the office provides support enforcement services, the office shall distribute all support money collected by the office, or received by the office in its capacity, as the Washington state support registry:

(a) In accordance with state and federal law, if public assistance, or cash benefits under the family independence program, is being or has been provided for the support of the family unit;

(b) To the ((family or person to whom the support money is owed if public assistance funds have not been provided for the support of the family)) payee under the order if the payee has physical custody of the children; ((and/or))

(c) To the physical custodian of the children if someone other than the payee has physical custody of and is caring for the children; and/or

(d) To the child support enforcement agency in another state or foreign country which submitted a request for support enforcement services.

(2) Prior to distributing support moneys to a physical custodian who is not the payee under the support order, the office shall:

(a) Obtain a sworn statement from the physical custodian attesting to the fact he or she has physical custody of the children and is caring for them;

(b) Mail a notice of its intent to distribute support money to the physical custodian to the last known address of the payee and the responsible parent;

(i) The notice shall contain the following statements and information:

(A) That the office has collected or received support money due under the support order;

(B) The name of the physical custodian;

(C) That the payee may contest distribution of money to the physical custodian by requesting a conference board under WAC 388-14-385, or filing an appropriate motion with the court that entered the support order;

(D) That the office must be given notice of and made a party to any proceeding to contest the notice of distribution.

(ii) A copy of the sworn statement of the physical custodian shall be attached to the notice; and

(c) File a copy of the notice with the clerk of the court in which the support order was entered.

(3) If the location of the family or person to whom the support money is owed is unknown, the office shall exercise reasonable efforts to locate the family or person. If the office is unable to locate and disburse the money to the family or person, the office shall handle the money in accordance with an agreement with the department of revenue and as required by state law.

((4))) (4) The office shall apply the following rules ((shall apply)) to the distribution of support money:

(a) ((The office shall)) Record all payments ((reported)) in exact amounts without rounding((:));

(b) Distribute a support payment within eight days of the date the office receives the payment, unless unable to distribute the payment for one or more of the following reasons:

(i) The location of the payee is unknown;

(ii) There is not sufficient information to identify the accounts against which and to which the payment should be applied;

(iii) An action is filed in a court or agency with jurisdiction to decide the issue, to determine whether or not a

support payment is owed and/or how the payment should be distributed;

(iv) Under subsection (6) of this section, the office receives prepaid support moneys which are being held and will be distributed in future months;

(v) The office mails a notice of intent to distribute the support money to the physical custodian under subsection (2) of this section; or

(vi) Other circumstances exist which make a proper and timely distribution of the payment impossible through no fault or lack of diligence of the office.

(c) The date of collection shall be the date on which the payment is received by the office. For interstate collections, the date of collection shall be the date on which the payment is received by the ((IV-D agency)) office or the legal entity of ((the)) any state ((in which the family, receiving aid\* support enforcement services, resides.)) or political subdivision actually making the collection, whichever is earliest;

((c))) (d) The office shall apply all payments:

(i) To satisfy the support obligation for the month in which the payments are received and, then;

(ii) To any support debt or debts owed to:

(A) The family;

(B) A person for whom services are being provided;

(C) The department; or

(D) A child support agency in another state or foreign country.

((d))) (e) If the responsible parent owes a current support obligation to more than one family and does not pay enough money during the month to satisfy these current support obligations in full, the office shall distribute the money collected based on the proportionate share of the obligation owed to each family;

((e))) (f) ((If the support payment or payments received during a month exceeds the amount required to satisfy the current support obligation or obligations for that month and the responsible parent owes more than one support debt,)) The office shall apply ((the)) amounts received during a month in excess ((amount)) of the responsible parent's current support obligation or obligations to the support debt or debts based on the proportionate ((share)) size of the ((debt owed to each)) debts, except as provided in subsection (4)(g) of this section, if: ((PROVIDED HOWEVER, That))

(i) The support payment or payments exceed the amount required to satisfy the current support obligation or obligations for that month; and

(ii) The responsible parent owes more than one support debt.

(g) The office may apply amounts distributed under this subsection to a single support debt rather than make a proportionate distribution in the following circumstances:

(i) ((If a portion of the support debt will be lost due to the running of the statute of limitations)) To satisfy a support debt owed to the family that accrued after the family terminated from public assistance as provided for in RCW 26.23.030; or

(ii) If proportionate distribution is administratively inefficient; or

(iii) If the collection resulted from the sale or disposition of a specific piece of property in which the applicant/recipient or applicant/custodian has a judgment lien for child support.

((f)) (h) The office shall convert amounts collected which are paid more frequently than once a month to an amount that represents payment on the required support obligation for the current month. The office of support enforcement is directed to distribute payments periodically to give effect to efficient administration.

((g)) (i) The office shall report any amounts distributed to a family, receiving public assistance, to the community service office identifying whether or not the payment is available to meet the need. This requirement shall not relieve the recipient of the duty to report receipt of any support moneys.

((4)) (5) If ((an amount collected as child)) the office receives or collects support moneys which represent((s)) payment on the required support obligation for future months, the office shall:

(a) Apply the ((amount)) support moneys to such future months((. However, the office shall not apply such amounts to future months unless amounts have been collected which fully satisfy)) if the support debt has been paid in full; and

(b) Distribute the support moneys on a monthly basis as of the date payments become due in the future.

((5)) (6) When the office receives or collects prepaid support moneys, the office shall mail a notice to the last known address of the person entitled to receive support payments. The notice shall inform the person that:

(a) The office received prepaid support money;

(b) The office will distribute this money as support payments become due in the future; and

(c) He or she may petition the court that entered the support order for an order requiring the immediate distribution of the prepaid support money.

(7) The office may recover support money distributed to a person or to the family in error, after receipt of a check which is later dishonored, or the office is later required to refund or return the support payment, as follows:

(a) ((If the person or family to whom the money was distributed is receiving)) In nonassistance ((support enforcement services)) cases, the office may deduct and retain, from subsequent support payments ((received on behalf of the person or family)), any amounts collected on a support debt and ((up to)) ten percent of amounts collected as current support. The office shall send a notice to the last known address of the person or family prior to taking action to recover such payments. The notice shall:

(i) Contain a finding that a payment was distributed in error, was paid against a check that was later dishonored, or that the office was required to refund the support payment to the responsible parent;

(ii) Identify the payments the office will recover; and

(iii) Inform the person or family of the amounts that will be deducted from future collections; and

(iv) Inform the person or family they may request an administrative hearing under chapter 34.04 RCW to object to the notice. At the hearing, the person may contest

the office's findings regarding the existence and amount of the debt for erroneous payments or other payments the office is seeking to recover.

(b) If person or family is no longer receiving support enforcement services, the office of support enforcement may take action under RCW 74.20A.270 to recover the money.

((6)) (8) If the family is receiving public assistance and the applicant/recipient fails to remit support payments to the office as required, the office shall use the process set forth in WAC 388-14-200 to recover such support payments.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

**WAC 388-14-385 CONFERENCE BOARD.** (1) A conference board is herewith established to inquire into, determine facts, and attempt to resolve matters in which a responsible parent, custodial parent, or other person feels aggrieved by actions taken by the office of support enforcement pursuant to chapters 74.20, 74.20A RCW, or Title IV-D of the Social Security Act (Title 42 U.S.C.).

(a) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances of responsible parents, custodial parents, or other persons. An applicant for a conference board proceeding shall have made a reasonable attempt and have failed to resolve the grievance or issue with the workers before a conference board may act to attempt to resolve the issue.

(b) The director, revenue division, or director's designee may assemble a conference board on application of the aggrieved person or on the director's own motion to investigate, find facts, and state or apply policy or law to the end of resolving grievances.

(c) The director or the director's designee may take such action, as deemed appropriate, and may individually exercise any of the authority provided for in this regulation, if:

(i) The grievance or issue presented in an application for conference board does not involve a factual dispute, or

(ii) The disputed fact or facts even if resolved in favor of the applicant would not provide a basis upon which relief could be granted to the applicant by a conference board acting in accordance with the standards provided for in this section.

(d) If an apparent factual dispute exists:

(i) The director or director's designee shall assemble a conference board composed of the director or director's designee, who shall serve as chairman, and two staff members, if deemed necessary.

(ii) The chairman of the conference board shall mail a notice, to the applicant and any other person or agency who is a party in interest to the proceeding, that a conference board has been convened and inform the parties of the time and place of the conference board at least

seven days prior to the date the conference board is scheduled.

(e) The chairman of the conference board is herewith authorized as a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., as provided for in RCW 74.04.290 and shall have power to subpoena witnesses, administer oaths, take testimony, and compel the production of such papers, books, records, and documents deemed relevant to the resolution of the grievance under consideration. Additional evidence may be taken by affidavit or other written submission when necessary or practicable together with written or oral argument. The director may designate persons having specific familiarity with the matter at issue or technical expertise with the subject to advise the board as required.

(f) The conference board's jurisdiction shall include but shall not be limited to the following areas:

(i) Complaints as to the conduct of individual staff members while acting in the scope of their duties. The decision of the board shall be directed to the first line supervisor for action as appropriate;

(ii) Review of denial of application for or termination of nonassistance support enforcement services;

(iii) Review of allegations of error as to the distribution of support moneys;

(iv) Resolution of amounts of arrears claimed due and rate of repayments;

(v) Requests to release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of responsible parent or parents and minor children in their home;

(vi) Requests for deferral of support enforcement action;

(vii) Requests for partial or total charge-off of support arrears pursuant to RCW 74.20A.220 or declination to collect support arrears pursuant to RCW 74.20A.040 on nonassistance cases;

(viii) Requests to waive interest pursuant to RCW 74.20A.190;

(ix) Requests to waive or defer the nonassistance support enforcement fee pursuant to RCW 74.20.040;

(x) Review of determinations that a support obligation has been satisfied or is no longer legally enforceable;

(xi) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case.

((xi)) (xii) Requests for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations.

(2) The conference board shall dissolve upon issuance of decisions on matters for which it was appointed.

(3) The board's decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department of social and health services rules and regulations, published office of support enforcement manuals, support enforcement policy bulletins and the exercise of reasonable administrative discretion. The decision shall be in writing and shall find the facts, applicable law, policies applied, and clearly state the decision. If the decision is the result of a conference board, that decision shall represent the

decision of a majority of the board. The director shall vacate decisions inconsistent with the standards in this section and remand them for issuance of a new decision in compliance with the standards.

(4) The office shall establish a file of pertinent documents for each case and distribute a copy of the decision, signed by the chairman, to:

(a) The applicant ((and));

(b) Other parties in interest((,)) when requested;

(c) The appropriate office of support enforcement district field office for action consistent with the decision of the board((,)); and

(d) The director.

(5) The board shall base decisions under RCW 74.20A.220 to grant partial or total charge-off of arrears owed to the department of social and health services under RCW 74.20A.030, 74.20A.250, 74.20.320, 74.20.330, or 42 U.S.C. 602 (a)(26)(A) on the following considerations and shall state them in the written decision of the conference board fully justifying the action taken:

(a) Error in law or bona fide legal defects that materially diminish chances of collection; or

(b) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support which hardship is to be measured against income standards for public assistance and consideration of all available income, property, and resources of the responsible parent and the necessity to apportion the income and resources of the responsible parent on an equitable basis with the children for whom the arrears accrued; or

(c) Costs of collection action in the future that are greater than the amount to be charged off; or

(d) Settlement from lump-sum cash payment that is beneficial to the state considering future costs of collection and likelihood of collection.

((The considerations and decision of the)) A conference board ((shall)) is not ((be)) a contested case subject to review by the superior court and ((shall)) is not ((be)) a substitute for any constitutionally or statutorily permitted hearing. Aggrieved parties may be represented before the board by a person of their choice ((but)). The department shall not ((be responsible for)) pay any costs incurred by the aggrieved person in connection with the conference.

#### AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

**WAC 388-14-425 PAYROLL DEDUCTION—NOTICE AND ORDER—ISSUANCE AND TERMINATION.** (1) Under RCW 26.23.050 and 26.23.060, the office may issue and serve a notice of payroll deduction upon the employer of a responsible parent. The office shall issue ((this)) the notice of payroll deduction, without further notice to the responsible parent:

(a) If a support payment, owed under a superior court or administrative order for support, is more than fifteen days past due in an amount equal to or greater than the support payable for one month; ((and))

(b) If the statutory notice requirements are met; and

(c) When the office identifies the responsible parent's earnings.

(2) The notice of payroll deduction shall remain in effect until:

(a) The payroll deduction is quashed, modified, or terminated by the superior court pursuant to a motion filed by the support debtor; or

(b) The office determines, as a result of a conference board convened under WAC 388-14-385, to release the payroll deduction after the support debtor proves by competent evidence that:

(i) The support obligation was not delinquent at the time the notice of payroll deduction was issued; or

(ii) The payroll deduction causes extreme hardship or substantial injustice.

**WSR 89-01-051**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
**(Western Library Network)**  
[Memorandum—December 13, 1988]

The meeting dates for the 1989 Western Library Network Services Council will be held at the West Coast Hotel, 18220 Pacific Highway South, Seattle, WA 98188 beginning at 10:00 a.m.

Friday	February 10, 1989	Tacoma Room
Friday	May 12, 1989	Tacoma Room
Friday	August 11, 1989	Tacoma Room
Thursday	November 9, 1989	Tacoma Room

**WSR 89-01-050****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 88-184—Filed December 14, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is chum salmon have cleared the area. There is inadequate time to follow the permanent rule adoption process.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 14, 1988.

By Judith Merchant  
for Joseph R. Blum  
Director

**REPEALER**

*The following section of the Washington Administrative Code is repealed:*

**WAC 220-48-02900C SET NET—DOGFISH—SEASONS. (88-182)**

**WSR 89-01-052****ADOPTED RULES****DEPARTMENT OF TRANSPORTATION**

[Order 118—Filed December 15, 1988]

I, Duane Berentson, Secretary of Transportation, do promulgate and adopt at the Transportation Building, Room 1D19, Olympia, Washington 98504, the annexed rules relating to surplus property sales in agricultural zoned areas, adopting WAC 468-30-120, to provide rules to comply with revision to RCW 47.12.063.

This action is taken pursuant to Notice No. WSR 88-22-028 filed with the code reviser on October 26, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.12.063 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Department of Transportation as authorized in RCW 47.12.063 and 47.01.101(5).

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 15, 1988.

By Ed W. Ferguson  
Deputy Secretary

**NEW SECTION**

**WAC 468-30-120 SURPLUS PROPERTY SALES IN AGRICULTURAL ZONED AREAS.** Priority consideration shall be given to abutting property owners in agricultural zoned areas.

(1) A written notice and offer to sell shall be sent by certified mail to the abutting owner as shown on the records of the county assessor.

(2) The abutting owner shall have thirty days after receiving notice of the proposed sale to respond in writing to the department's offer to sell.

(3) If the abutting owner rejects the state's offer or does not respond in writing within the thirty-day period, the department may then dispose of the property pursuant to RCW 47.12.063.

(4) If there is more than one abutting owner, then the procedures in RCW 47.12.063 (2)(f) shall apply.

(5) Sales to abutting property owners may at the department's option be for cash or by real estate contract.

**WSR 89-01-053  
ADOPTED RULES  
STATE EMPLOYEES BENEFITS BOARD**

[Resolution No. 88-6—Filed December 15, 1988]

Be it resolved by the State Employees Benefits Board, acting at Red Lion Inn/Sea-Tac, Room Saturn 1, 18740 Pacific Highway South, Seattle, WA, that it does adopt the annexed rules relating to the amending of WAC 182-12-115.

This action is taken pursuant to Notice No. WSR 88-22-016 filed with the code reviser on October 24, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Employees Benefits Board as authorized in RCW 41.05.065.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 14, 1988.

By C. H. Shay  
Assistant Benefits Manager

**AMENDATORY SECTION** (Amending Resolution No. 88-4, filed 9/19/88)

**WAC 182-12-115 ELIGIBLE EMPLOYEES, RETIREES, AND DEPENDENTS.** The following definitions of eligible employees, retirees, and dependents of an eligible entity, as defined in WAC 182-12-111, shall apply for all SEIB approved plans except as otherwise stated in this chapter:

(1) "Permanent employees." Those who are scheduled to work at least half-time per month and are expected to be employed for more than six months. Such employees shall be eligible effective with their first day of employment.

(2) "Nonpermanent employees." Those who are scheduled to work at least half-time and are expected to be employed for no more than six months. Such employees shall be eligible effective the first day of the seventh calendar month of employment.

(3) "Seasonal employees." Those who work at least half-time per month during a designated season for a

minimum of three months but less than nine months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible on the first day of such employment, however, they are not eligible for the employer contribution during the break between seasons of employment.

(4) "Part-time faculty." Faculty who are employed on a quarter/semester to quarter/semester basis become eligible beginning with the second consecutive quarter/semester of half-time or more employment at one or more state institutions of higher education, provided that:

(a) For determining eligibility, spring and fall may be considered consecutive quarters/semesters; and

(b) "Half-time or more employment" will be determined based on each institution's definition of "full-time"; and

(c) At the beginning of each quarter/semester, the employers of part-time faculty shall notify, in writing, all current and newly hired part-time faculty of their potential right to benefits under this section. The employee shall have the responsibility, each quarter, to notify the employers, in writing, of the employee's multiple employment. In no case will there be a requirement for retroactive coverage or employer contribution if a part-time faculty member fails to inform all of his/her employing institutions about employment at all institutions within the current quarter; and

(d) Where concurrent employment at more than one state higher education institution is used to determine total part-time faculty employment of half-time or more, the employing institutions will arrange to prorate the cost of the employer insurance contribution based on the employment at each institution. However, if the part-time faculty member would be eligible by virtue of employment at one institution, that institution will pay the entire cost of the employer contribution regardless of other higher education employment. In cases where the cost of the contribution is prorated between institutions, one institution will forward the entire contribution monthly to SEIB; and

(e) Once enrolled, if a part-time faculty member does not work at least a total of half-time in one or more state institutions of higher education, eligibility for the employer contribution ceases.

(5) "Appointed and elected officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible on the date their term begins or they take the oath of office, whichever occurs first.

(6) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.

(7) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(b) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(c) Must take a lump sum benefit because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income benefit are likewise eligible, provided they apply for retiree coverage before their SEIB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any SEIB life insurance plan are eligible for retiree life insurance, subject to the same qualifications as for retiree medical coverage. Retirees and disabled employees are not eligible for an employer premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the SEIB program at the time of retirement or disability.

(8) "Eligible dependents." The following are eligible as dependents under the medical and dental plans:

(a) Lawful spouse.  
 (b) Dependent children through age twenty.  
 (c) Dependent children age twenty-one ((through age twenty-three)) and over who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters and for the quarter following graduation provided the employee/retiree is covered at the same time.

(d) Dependent children of any age who are incapable of self-support due to developmental disability or physical handicap are also eligible, provided such condition occurs prior to age twenty-one or during the time the dependent was covered under an SEIB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age twenty-one or loss of eligibility for student coverage, and as periodically requested thereafter.

(e) "Children" includes natural children, stepchildren, adopted children, and approved foster children. A foster child must be under age twenty-one at the time of approval. "Children" also includes married children if dependent upon the employee/retiree within the meaning of the Internal Revenue Code.

(f) "Dependent parents." Under the uniform medical plan and the SEIB dental plans, parents of the employee/retiree or their spouse are eligible subject to Internal Revenue Code dependency status and qualification. Eligibility is subject to making application and verification. (Parents are not eligible under the SEIB HMO medical plans.)

(9) Notwithstanding any of the foregoing, employees who are not mandatorily, by election, or otherwise covered by industrial insurance under Title 51 RCW shall not be considered "eligible employees" within the meaning of this section.

**WSR 89-01-054**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLEVUE COMMUNITY COLLEGE**  
 [Memorandum—December 14, 1988]

The regular meetings of the board of trustees of Community College District VIII for 1989 will be held on the following dates:

January 10  
 February 14  
 March 14  
 April 11  
 May 9  
 June 13  
 July 11  
 August 8  
 September 12  
 October 10  
 November 14  
 December 12

The meetings will begin at 12 noon in the Bellevue Campus Cafeteria with a discussion of agenda items and at 1:30 p.m. in the Board Room, Bellevue Campus, Bellevue, Washington, for a business session. If the second Tuesday is a legal holiday, the meeting will be held if at all possible on the third Tuesday of the month or soon thereafter or as otherwise announced. In the event the board of trustees is unable to meet on the regular meeting date, a special meeting may be scheduled and held if at all possible on the third Tuesday of the month or soon thereafter or as otherwise announced. In the event the board of trustees is unable to meet, the chairman of the board may order that no regular meeting of the board of trustees be held that month.

**WSR 89-01-055**  
**ADOPTED RULES**  
**INSURANCE COMMISSIONER**  
 [Order R 88-14—Filed December 16, 1988]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to establishing a prelicense education requirement that must be satisfied by insurance agent's or solicitor's license applicants prior to their admission to the life, disability, property or casualty insurance agent's license examination; and establishing procedures and standards for approval of prelicense education providers, including prescribing the curriculum for each of the subjects of insurance statutes and regulations, life insurance, disability insurance, casualty insurance and property insurance.

This action is taken pursuant to Notice No. WSR 88-22-070 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 48.02.060 and 48.17.070 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.17.110 and 48.17.150 (1)(d).

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED December 16, 1988.**

Dick Marquardt  
Insurance Commissioner  
By Roger Polzin  
Deputy Commissioner

#### NEW SECTION

**WAC 284-17-175 EDUCATION REFERRALS.** It shall be unlawful for any person to accept any rebate, refund, fee, commission, or discount in connection with referrals of students to an insurance education prelicense or continuing education provider, without making full disclosure to each student so referred.

#### NEW SECTION

**WAC 284-17-505 DEFINITIONS.** As used in WAC 284-17-505 through 284-17-565, the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Approved prelicense education provider" or "provider" means any insurer, professional association, community college, or independent contractor to which the commissioner has granted authority to conduct and certify completion of an approved course.

(2) "Approved course" means a series of seminars, classes, or lectures meeting the requirements of WAC 284-17-550; covering the prescribed curricula of WAC 284-17-551 and any of WAC 284-17-552 through 284-17-555. A course is approved only for offering by an approved provider, while supervised by an approved program director, and taught by an approved instructor, according to the applicable section of either WAC 284-17-540 or 284-17-545.

(3) "Student" means an individual taking the prelicense education course that is required as a prerequisite to admission to the life, disability, property, or casualty resident insurance agent's license examination.

(4) "Curriculum" or "curricula" means the topics of study prescribed for prelicense education by the commissioner at WAC 284-17-551 through 284-17-555, concerning the life, disability, property, and casualty lines of insurance, and including the Washington insurance statutes and regulations curriculum.

(5) "Independent testing service" means the entity with which the commissioner has contracted to develop, administer, and score license examinations.

(6) "Insurer" means an insurance company, health care service contractor, or health maintenance organization authorized to conduct business in Washington under RCW 48.05.030, 48.44.015, or 48.46.027, respectively.

#### NEW SECTION

**WAC 284-17-510 PRELICENSE EDUCATION REQUIREMENT.** (1) Unless exempted under WAC 284-17-515, an applicant for a resident's license as a life, disability, property, or casualty insurance agent or solicitor must complete the following education requirements as a prerequisite to admission to the examination:

Complete four hours of instruction relating to Washington's general statutes and regulations governing the sale of insurance, and sixteen hours of instruction relating to the specific line of:

(a) Life insurance, if the applicant is seeking to be licensed as a life insurance agent or solicitor; or

(b) Disability insurance, if the applicant is seeking to be licensed as a disability insurance agent or solicitor; or

(c) Casualty insurance, if the applicant is seeking to be licensed as a casualty insurance agent or solicitor; or

(d) Property insurance, if the applicant is seeking to be licensed as a property insurance agent or solicitor.

(2) An applicant planning to undergo examination for more than one major line need not repeat the four hours' instruction on general statutes and regulations.

(3) The prescribed curriculum for a particular line, and the prescribed curriculum for the insurance statutes and regulations, must be completed within the twelve-month period immediately preceding the examination.

#### NEW SECTION

**WAC 284-17-515 WAIVER OF THE PRELICENSE EDUCATION REQUIREMENT.** Any person with documented insurance education that meets or exceeds the required prelicense education may file a written petition with the commissioner for a waiver of the requirement.

Any person who believes that a prelicense education course is unavailable to her or him may file a written petition with the commissioner for permission to undertake self-study.

(1) A written waiver, based on documentation of equivalent education, may be granted by the commissioner in lieu of the certificate of completion for the purpose of complying with the prelicense education requirement, provided that the insurance education was completed within the twelve months immediately preceding the petition for waiver; and the petitioner demonstrates that the materials and/or classes required to complete such insurance education meet or exceed the curriculum prescribed by WAC 284-17-552 through 284-17-555 for each applicable line.

(a) An equivalent education in insurance may be demonstrated by a course syllabus and the student's transcript from an accredited college, university, or a course of study recognized as a mark of distinction by the insurance industry and deemed by the commissioner to be fully qualified and competent.

(b) The commissioner retains the discretion to determine whether a petitioner has presented sufficient evidence that her or his "equivalent" education merits a waiver of the prelicense education requirement.

(c) Prior to the petitioner's participation in the insurance agent's license examination, the petition must be submitted and the commissioner's written waiver must be issued.

(d) A waiver is valid for twelve months from the date signed by the commissioner. A waiver of the applicable insurance line curriculum requirement is not a waiver of the insurance statutes and regulations curriculum requirement, or of any other requirement prescribed by the commissioner for insurance license examination eligibility.

(2) Written permission to undertake self-study of the prelicense education curricula, based on a showing of the unavailability of an approved prelicense education course, may be granted by the commissioner provided that the petition shall specify in detail the reasons why a prelicense education course for the identified line of insurance is unavailable, and shall identify with particularity the materials to be used to study the prescribed curricula. The petitioner shall demonstrate that the materials cover the curriculum prescribed for Washington insurance statutes and regulations as well as the curriculum prescribed for that line.

(a) The commissioner retains the discretion to determine whether the petitioner has presented sufficient cause to justify a grant of permission to self-study the prelicense curriculum.

(b) If the commissioner grants permission to self-study, such study must be completed within twelve months of the grant. Upon completion of study, the petitioner shall present to the commissioner a certified statement in which the self-study materials that have been utilized are identified, and in which the amount of time spent in study is clearly recorded by dates and clock times as covering at least the prelicense education hour requirement.

(c) Upon the petitioner's satisfactory completion of the approved program of self-study, the commissioner will issue a certificate of completion of approved self-study.

#### NEW SECTION

**WAC 284-17-520 WHEN PRELICENSE EDUCATION REQUIREMENT MUST BE MET.** The requirements of WAC 284-17-505 through 284-17-520 apply to all persons taking an agent's license examination, conducted on or after July 1, 1989.

(1) Any applicant seeking a resident's license as a life, disability, property, or casualty insurance agent or solicitor in the state of Washington who appears at an examination site must present certificates of completion of the requisite number of hours of approved prelicense education, or a written waiver of the applicable line curriculum and a certificate of completion of the statutes and regulations curriculum, to be allowed access to the examination.

(2) Any applicant who receives a passing score on the licensing examination must include validated certificates

of completion of the approved prelicense education, or a written waiver of the applicable line curriculum requirement, along with other license application documents, to be issued the license.

#### NEW SECTION

**WAC 284-17-530 REQUIREMENTS APPLICABLE TO ALL PRELICENSE EDUCATION PROVIDERS.** This section applies to all persons offering life, disability, property, or casualty insurance prelicense education, for purposes of satisfying the education requirements prescribed by the commissioner at WAC 284-17-505 through 284-17-520 for insurance license applicants.

(1) Persons seeking authority to conduct an approved course for life, disability, property, or casualty insurance shall obtain the written approval from the commissioner prior to the commencement of any such course. No course may be advertised as approved until the provider has obtained in writing all approvals required from the commissioner.

(a) The request for approval must include all information, disclosures, statements, and certifications required by the commissioner, on the prescribed forms.

(b) Course materials must be submitted to the commissioner with references to the provisions of the prescribed curricula: PROVIDED, HOWEVER, That the commissioner may waive submission of materials that were approved within the previous twelve months, if references to the prescribed curriculum are drawn in sufficient detail. The provider shall submit a request for approval only for those courses that satisfy the requirements of WAC 284-17-550, 284-17-551, and the applicable sections of WAC 284-17-552 through 284-17-555.

(c) The provider must disclose the tuition to be charged for each proposed course.

(i) Disclosure to the office of insurance commissioner of the total tuition to be charged for all course offerings shall be made in the request for provider approval.

(ii) The provider must disclose to each student at the time of enrollment the amount of the course tuition to be paid, to persons other than the provider's full-time employees, as compensation for referring students to the provider.

(iii) The provider must comply with the enrollment procedures set out at WAC 490-800-060 by the Washington state board for vocational education.

(2) The commissioner will look to the provider to maintain the integrity of the training system. The provider shall be responsible for its employees' conduct, and shall be subject to disciplinary action for its employees' failure to comply with chapter 284-17 WAC. As a condition of approval, therefore:

(a) The provider must retain all student enrollment and performance data, personnel records, and course materials and student evaluations of each course, available for the commissioner's review, for three years.

(b) The provider must identify its proposed program director, and must certify, upon conclusion of a competent background investigation, that its program director's qualifications meet or exceed the requirements at

WAC 284-17-535, including that the program director has been determined to be trustworthy.

(i) The commissioner's approval of a program director is valid for a period of twelve months from the most recent provider approval date.

(ii) The provider must apply to the commissioner for amended approval at least ten calendar days before instituting a change of program director.

(iii) The provider must continually monitor its program director's supervision of instruction, and must immediately remove the program director if he or she violates any statute or regulation pertaining to insurance sales or licensing then in effect.

(c) The provider must identify its proposed instructor(s), and must certify, upon conclusion of a competent background investigation, that each instructor's qualifications meet or exceed the requirements at WAC 284-17-537, including that each instructor has been determined to be trustworthy.

(i) The commissioner's approval of each instructor is valid for a period of twelve months from the most recent provider approval date.

(ii) The provider must apply to the commissioner for amended approval at least ten calendar days before instituting a change of instructors, except in the case of an instructor vacancy created by an emergency as defined by WAC 284-17-535 (3)(a)(i).

(3) After due investigation and consideration, the commissioner may grant approval of the provider upon a showing that the provider has satisfied all the requirements of WAC 284-17-530 through 284-17-539, 284-17-540 or 284-17-545, and 284-17-550.

(4) Provider approval is valid for a period of twelve months from the initial approval date. To retain such approval, approved prelicense education providers must:

(a) Post in a conspicuous location at the prelicense education site, the procedures for applying for an insurance agent's or solicitor's license, including all preexamination qualifications and a notice of prohibited examination behavior in the standard form prescribed by the commissioner.

(b) Apply to the commissioner for amended provider approval at least ten calendar days prior to instituting any change of its owner or executive officer or of its program director. Amended approval, if granted, is valid only until the original provider approval expiration date.

(c) Report to the commissioner, by the fifteenth day of each month, the name of each student receiving a certificate of completion for each approved course offered during the previous calendar month.

(d) Permit the commissioner or the commissioner's designees to conduct unannounced audits of any of the provider's approved courses, for purposes of monitoring the provider's continued compliance with WAC 284-17-530 through 284-17-565.

(e) Immediately produce, upon request of the commissioner or the commissioner's designee, a true and complete copy of the provider's instructional plan for each approved course.

(f) Post in a conspicuous location at the prelicense education site, the tuition for each approved course, and if applicable:

- (i) The full text of any referral/rebate policy;
- (ii) The specific dollar amount of course tuition which is payable, to each person other than the provider's full-time employees, as compensation for referring students to the provider;
- (iii) The name(s) of the person(s) to whom referral fees are paid.

(g) Any approved provider that has a referral fee/tuition rebate plan must provide a written copy of the agreement to each referred student at the time of her or his enrollment. The copy must contain:

- (i) The full text of any referral/rebate policy;
- (ii) The specific dollar amount of course tuition which is payable, to each person other than the provider's full-time employee, as compensation for referring students to the provider;
- (iii) The name(s) of the person(s) to whom referral fees are paid.

(5) The provider must notify the commissioner, in writing, of the provider's intent to terminate its prelicense education program at least ten calendar days prior to the termination.

(a) If the commissioner sends a written inquiry by certified mail, the provider must respond within ten calendar days.

(b) Failure to notify the commissioner of a course termination, or to respond to a written inquiry, within the specified time limits will result in immediate loss of provider approval, and shall be so noted upon the record.

(6) The provider must give at least ten calendar days' notice to the commissioner of the provider's intent to change the tuition amount or the rebating policy, or to initiate a rebating policy with a person other than the provider's full-time employee.

(7) It shall be unlawful for any prelicense education provider to use license examination performance data for advertising or promotional purposes.

(8) It shall be unlawful for any prelicense education provider to use any name that implies or suggests that the provider is affiliated with either the office of insurance commissioner or with the independent testing service that conducts the examination, or to use any name that implies or suggests that the provider is the only person authorized to provide prelicense education in the state of Washington.

## NEW SECTION

### **WAC 284-17-535 PROGRAM DIRECTOR QUALIFICATIONS AND RESPONSIBILITIES.**

(1) A program director's necessary qualifications are:

(a) At least five years of teaching experience and knowledge of insurance products, principles, and laws.

(i) Each independent provider's program director must possess and hold in good standing a Washington agent's or broker's license.

(ii) Each insurer provider's program director must possess such a license or comparable scholastic or professional credentials that the commissioner deems equivalent to such a license.

(iii) The requirements of (a)(i) of this subsection shall not apply to program directors employed by approved

providers governed by chapters 28B.19 and 28B.50 RCW, community colleges within Washington state.

(b) An employment history involving administrative educational experience.

(c) Trustworthiness. A program director is untrustworthy if he or she has violated any statute or regulation pertaining to insurance, or to any other regulated occupation; or has had an occupational license revoked in any state; or has been convicted of a crime evidencing lack of fitness to assume fiduciary duties.

(2) Information on the program director which must be submitted to the commissioner includes the full disclosure of any regulatory or legal action involving the program director's professional or occupational activities.

(3) A program director's responsibilities include:

(a) Conducting a competent background investigation to ascertain that each instructor is trustworthy and qualified under WAC 284-17-537 and under WAC 284-17-540 or 284-17-545 for the line of insurance he or she has been designated to instruct; except that:

(i) In the event of an emergency created by the unavoidable absence of an approved instructor, the program director may appoint an interim instructor who was not previously certified and approved, to complete the current course offering, however:

(ii) The program director must immediately notify the commissioner of the nature of the emergency, the name of the temporary instructor, and the date upon which the current course offering will conclude.

(iii) At the conclusion of the current course offering the program director and provider shall suspend operation of the affected course until an approved instructor is available to conduct the classes.

(b) Supervising each approved course and reviewing all completed student evaluations of the course; and

(c) Insuring that instructors properly issue certificates of completion according to WAC 284-17-539 to the students at the completion of each course.

## NEW SECTION

**WAC 284-17-537 INSTRUCTOR QUALIFICATIONS AND RESPONSIBILITIES.** The provider must submit the name(s) of each proposed instructor to the commissioner.

(1) To qualify as an instructor for an approved provider, each proposed instructor must:

(a) Demonstrate any combination of at least three years of instructional experience and experience as a licensed insurance agent or broker.

(b) Be trustworthy. An instructor is untrustworthy if he or she has violated any statute or regulation pertaining to insurance, or to any other regulated occupation; or has had an occupational license revoked in any state; or has been convicted of a crime evidencing lack of fitness to assume fiduciary duties.

(c) Demonstrate competence in the line of insurance he or she proposes to teach:

(i) Each independent provider's instructor must possess and hold in good standing a Washington agent's or broker's license for the applicable line(s) of insurance.

(ii) Each insurer provider's instructor must possess such a license or scholastic or professional credentials that the commissioner deems equivalent to such a license.

(2) The instructor of each approved course shall perform the following instructional and administrative duties:

(a) At the beginning session of each approved course, assure that each student has been properly registered.

(b) Remain in the classroom for the duration of each scheduled class session.

(c) Teach the study materials, which incorporate the prescribed curriculum, according to the lesson plans filed with the commissioner.

(d) At the conclusion of the course, distribute the standard course evaluation form prescribed by the commissioner, to each student who has completed the course; and collect the completed forms.

(e) To each student who has completed the course, issue a certificate of completion by signing each certificate, and thereby certify that the student actually completed the course.

(f) Review course evaluations with the program director.

## NEW SECTION

**WAC 284-17-539 CERTIFICATES OF COMPLETION.** (1) A "certificate of completion," in the standard form prescribed by the commissioner, shall be completed in its entirety, signed by the instructor, and issued by the approved prelicense education provider to each student in the student's legal name, who has completed an approved course.

(2) Both the student and the instructor(s) shall certify that the course was conducted and completed according to the hours and curriculum required, by affixing their original signatures in the spaces provided on the certificate of completion.

(3) The provider shall indicate, on the face of the certificate of completion, the correct codes assigned by the commissioner to each approved prelicense education provider and to each approved course.

(4) The approved prelicense education provider must issue each valid certificate of completion within twenty-four hours from the time the course was completed.

(5) No instructor may issue a certificate of completion to herself or himself.

(6) Completion of less than the full course curriculum, or of individual classes, does not qualify for a certificate of completion.

(7) A valid certificate of completion (or a valid waiver) for the line of insurance on which the student will be examined, and a certificate of completion for the statutes and regulations curriculum, must be presented to the independent testing service as a prerequisite to participating in any of the agent's license examination(s) for life, disability, property, or casualty insurance.

(8) The certificate is valid for twelve months from the course completion date shown on its face.

**NEW SECTION**

**WAC 284-17-540 REQUIREMENTS APPLICABLE TO INDEPENDENT PRELICENSE EDUCATION PROVIDERS.** This section applies to all persons, other than insurers, offering life, disability, property, or casualty insurance courses to license applicants for purposes of satisfying the educational requirement prescribed by WAC 284-17-505 through 284-17-520.

(1) In addition to the general conditions for approval set out at WAC 284-17-530 through 284-17-539, and in addition to complying with the requirements of WAC 284-17-550, each noninsurer prelicense education provider shall:

(a) Describe any existing insurance education program:

(i) Class titles and curricula covered;

(ii) Number of students per course during previous year;

(iii) Name(s) and qualifications of instructor(s);

(iv) Name and qualifications of person responsible for the previous program.

(b) Describe the changes necessary to bring any existing program into compliance with WAC 284-17-530 through 284-17-539, 284-17-550 and 284-17-551, and each applicable section of WAC 284-17-552 through 284-17-555.

(c) Reveal the provider's department of revenue registration number.

(2) To qualify a provider for the commissioner's approval, the provider's proposed program director must hold in good standing a valid Washington agent's or broker's license and present evidence of teaching experience, the combination to total a minimum of five consecutive years' qualifications. After January 1, 1994, the license(s) must have been held in good standing for at least five years.

(3) To qualify a provider for the commissioner's approval, each of the provider's proposed instructors must hold in good standing a valid Washington agent's or broker's license, for the line(s) of insurance he or she will be instructing, and present evidence of teaching experience, the combination to total a minimum of three consecutive years' qualifications. After January 1, 1992, the license(s) must have been held in good standing for at least three years.

(4) An independent provider shall establish and maintain records and an appropriate accounting system for all tuition payments received by the provider.

(a) All tuition funds received must be deposited promptly into a bank account or depository separate from any other account or depository.

(b) The accounting system used must effectively isolate the separate account from any other operating or personal accounts, and must provide an audit trail so that details underlying the summary data may be identified.

(c) The provider shall make such records available for inspection by the commissioner during regular business hours upon demand during the three years immediately after the date of the transaction.

(5) Noninsurer course providers shall have an exact physical location or locations, and all classes shall be scheduled on a regular and predictable basis.

**NEW SECTION**

**WAC 284-17-545 REQUIREMENTS APPLICABLE TO INSURER PRELICENSE EDUCATION PROVIDERS.** This section applies to all admitted insurers regulated by the commissioner, and offering life, disability, property, or casualty insurance education courses to license applicants for purposes of satisfying the educational requirements prescribed by WAC 284-17-505 through 284-17-520.

(1) In addition to the general conditions for approval set out at WAC 284-17-530 through 284-17-539, and in addition to complying with the requirements of WAC 284-17-550, each insurer applying for prelicense education provider approval must exhibit an existing, bona fide insurance education function which is supervised from the corporate level. The insurer shall:

(a) Describe the existing program:

(i) Class titles and curricula covered;

(ii) Number of students per course during previous year;

(iii) Name(s) and qualifications of instructor(s);

(iv) Name and qualifications of person responsible for the program.

(b) Describe the insurer's plan for agent development.

(c) Submit the prelicense education plan to be applied throughout Washington state.

(2) For each program director not licensed as a Washington agent or broker, the provider shall in the request for approval identify the program director's equivalent qualifications, including educational degrees or professional designations earned, and certified evidence of past insurance education and licenses held in this or other states, and identify the program director's past teaching experience.

(3) For each instructor not licensed as a Washington agent or broker in the line of insurance which is the subject of instruction, the insurer's program director shall in the request for approval identify the instructor's equivalent qualifications, including educational degrees or professional designations earned, and certified evidence of past insurance education and licenses held in this or other states.

(4) The commissioner retains discretion to determine whether the proposed instructor(s) and the proposed program director's asserted qualifications meet the minimum scholastic and professional criteria required herein.

**NEW SECTION**

**WAC 284-17-550 COURSE STANDARDS.** (1) No course will be approved unless the Washington insurance statutes and regulations applicable to the specific line are incorporated into each specific line(s) curriculum offered by the provider.

(2) To qualify for approval, each course shall be conducted by an approved instructor, utilizing study materials that include all the prescribed curriculum, and shall

be presented under the supervision of an approved prelicense education provider.

(a) Each instructor's qualifications shall be identified, according to the requirements of WAC 284-17-530 (2)(d) and 284-17-537, and 284-17-540 or 284-17-545, for approval by the commissioner.

(b) The course instructor shall be present in the classroom at all times during the hours an approved course is presented.

(3) Each course shall be broken into individual lesson components covering the prescribed curriculum.

(a) Instruction may include coverage of related subject matter; however, such peripheral instruction must be presented in the individual lesson components as supplementary to the prescribed curriculum hours.

(b) The provider may choose the prelicense education study materials, and shall certify that the study materials include all of the prescribed curriculum.

(4) "Hours" are approved by the commissioner for an approved course. Each "hour" shall represent at least fifty minutes of actual instruction on a topic within the prescribed prelicense education curriculum.

(5) No course may be represented as approved until the approved prelicense education provider has received the commissioner's written approval of the instructor and of the course.

(a) Approved prelicense education providers must apply to the commissioner for amended course approval if any of the following changes or revisions are instituted before the original course approval expiration date:

- (i) Change of study materials;
- (ii) Change of program schedule or location; or
- (iii) Change of course tuition or rebate policy.

(b) Amended approval, if granted, is valid only until the original course approval expiration date.

## NEW SECTION

**WAC 284-17-551 STATUTES AND REGULATIONS CURRICULUM.** Every prelicense education course shall incorporate study of the:

(1) Nature of insurance:

- (a) Definition of insurance; insurance transaction;
- (b) Public interest;
- (c) Risk management;
- (d) Law of large numbers;
- (e) Indemnification.

(2) Insurance commissioner:

- (a) Authority and duties;
- (b) Rate and form filings;
- (c) Examinations:

- (i) Insurers' financial status;
- (ii) License applicant's qualifications.

(d) Hearings and appeals;

(e) Public access to records.

(3) Insurers:

(a) Definitions:

(i) Domestic, foreign, alien;

(ii) Life, disability – stock, mutual, fraternal;

(iii) Property, casualty, vehicle, surety – stock, mutual, reciprocal, Lloyds;

(iv) Authorized, unauthorized insurers; certificate of authority.

(b) Financial status:

(i) Mergers, insider trading;

(ii) Rehabilitation, liquidation; Washington Insurance Guaranty Associations.

(c) Insuring powers – defining the separate lines;

(d) Assets and liabilities:

(i) Investments;

(ii) Reserves.

(e) Fees and taxes.

(4) The insurance contract:

(a) General provisions;

(b) Exclusions and limitations;

(c) Insured;

(d) Cancellation and nonrenewal;

(e) Premium;

(f) Binder.

(5) Agents, brokers, solicitors, adjusters:

(a) Company appointment or affiliation:

(i) Purpose, contractual authority, and liability;

(ii) Termination.

(b) Types of licenses:

(i) Authority and liability under the regulation:

(A) Solicitor;

(B) Agent;

(C) Broker;

(D) Surplus lines broker;

(E) Adjuster: Independent, public.

(ii) Major lines:

(A) Life insurance;

(B) Disability insurance;

(C) Property insurance;

(D) Casualty insurance.

(iii) Limited lines:

(A) Vehicle insurance;

(B) Surety;

(C) Credit life and disability;

(D) Travel insurance.

(c) Licensing requirements:

(i) Purpose;

(ii) Licensing procedures:

(A) Resident;

(B) Nonresident.

(iii) Continuing education; renewal procedures;

(iv) Penalties for misconduct;

(v) Exemption from the licensing requirement;

(vi) Temporary license.

(d) Agent responsibilities:

(i) Recordkeeping;

(ii) Reply promptly to inquiry by the commissioner; notify the commissioner of a change of address;

(iii) Application completion;

(iv) Delivery of the policy;

(v) Fiduciary accountability; separate account.

(e) Unfair practices and frauds:

(i) Advertising, comparisons, and defamation;

(ii) Charges, inducements, rebating;

(iii) Misrepresentation, twisting;

(iv) Discrimination.

## NEW SECTION

**WAC 284-17-552 LIFE INSURANCE CURRICULUM.** (1) Life insurance needs:

- (a) Monetary value of human life;
- (b) Social security:
  - (i) Contributions;
  - (ii) Qualification and restrictions;
  - (iii) Benefit periods;
  - (iv) Blackout period.
- (c) Federal government employee/military benefits/railroad retirement benefits;
- (d) Needs analysis:
  - (i) Premature death/retirement;
  - (ii) Theory of decreasing need;
  - (iii) Earnings approach, depletion approach;
  - (iv) Capital retention/estate conservation;
  - (v) Mortality/life expectancy tables.
- (2) Types and characteristics of life insurance policies:
  - (a) Term insurance policies:
    - (i) Level, decreasing or increasing benefit;
    - (ii) Renewable;
    - (iii) Convertible;
    - (iv) Reentry.
  - (b) Whole life policy concepts:
    - (i) Economic values of whole life;
    - (ii) Basic types of whole life:
      - (A) Ordinary;
      - (B) Limited pay.
      - (c) Endowment;
      - (d) Universal life:
        - (i) Fixed premium;
        - (ii) Variable.
      - (e) Single premium whole life:
        - (i) Fixed;
        - (ii) Variable.
      - (f) Annuities:
        - (i) Nature and purpose;
        - (ii) Tax-qualified plans; nonqualified plans;
        - (iii) Premium payment methods:
          - (A) Single;
          - (B) Fixed installment/periodic;
          - (C) Flexible.
        - (iv) When benefits begin;
        - (v) Payout options:
          - (A) Period certain;
          - (B) Interest only;
          - (C) Fixed/variable;
          - (D) Number of lives covered.
      - (3) Other life insurance products:
        - (a) Keogh;
        - (b) Individual Retirement Account (IRA);
        - (c) Simplified Employee Pension Plan (SEP);
        - (d) Key person;
        - (e) Buy-sell;
        - (f) Split dollar;
        - (g) Executive bonus.
      - (4) Group life insurance:
        - (a) Types of contracts:
          - (i) Term;
          - (ii) Contracts with permanent benefits;
          - (iii) Credit or mortgage life.
        - (b) Group underwriting principles;
        - (c) Master policy and certificates;
        - (d) Conversion rights and limitations.
      - (5) Combination policies/variations in basic forms:
        - (a) Double or triple protection;
        - (b) Term riders;
        - (c) Family policies/riders;
        - (d) Family income, family maintenance;
        - (e) Retirement income;
        - (f) Face amount plus cash value/return of premium;
        - (g) Mortgage protection.
        - (h) Credit life insurance:
          - (i) Joint life;
          - (j) Last survivor;
          - (k) Juvenile;
          - (l) Adjustable life;
          - (m) Variable life.
        - (6) Life insurance statutes and regulations:
          - (a) Disclosure;
          - (b) Fair Credit Reporting Act;
          - (c) Replacement;
          - (d) Washington Life and Disability Insurance Guaranty Association;
          - (e) Fraternal Benefit Society;
          - (f) Standard nonforfeiture law.
        - (7) Regulated life insurance contract provisions:
          - (a) Free look;
          - (b) Representations;
          - (c) Incontestability;
          - (d) Misstatement of age or sex;
          - (e) Grace period/reinstatement;
          - (f) Settlement on proof of death;
          - (g) Uniform Simultaneous Death Act.
        - (8) General provisions and clauses:
          - (a) Consideration/premium payment:
            - (i) Single;
            - (ii) Level;
            - (iii) Adjustable;
            - (iv) Modified;
            - (v) Graded.
          - (b) Insuring agreement;
          - (c) Owner/applicant/insured;
          - (d) Assignment;
          - (e) Limitation of liability:
            - (i) Act of war;
            - (ii) Suicide within two years of issue;
            - (iii) Specific aviation conditions.
          - (f) Morbidity and mortality tables;
          - (g) Age, health, marital status, occupation;
          - (h) Policy riders:
            - (i) Policy loan provision;
            - (ii) Automatic premium loan;
            - (iii) Waiver of premium;
            - (iv) Guaranteed insurability;
            - (v) Dividends/excess interest declarations;
            - (vi) Nonforfeiture values, annuity tables;
            - (vii) Accidental death/dismemberment.
          - (i) Beneficiary designations:
          - (ii) Beneficiary categories:
            - (A) Estate/named party/class;
            - (B) Primary/contingent;
            - (C) Revocable/irrevocable;
            - (D) Trust.
          - (ii) Common disaster, short-term survivorship; Uniform Simultaneous Death Act;
          - (iii) Minor as beneficiary;

- (iv) Changing the beneficiary.
- (9) Application process:
  - (a) Short form/long form application;
  - (b) Application as part of contract;
  - (c) When coverage begins:
    - (i) Receipt;
    - (ii) Binder.
  - (10) Policy delivery:
    - (a) Modified/issued as requested;
    - (b) Explanation of coverage;
    - (c) Payment of premium:
      - (i) Paid upon application;
      - (ii) Paid upon delivery;
      - (iii) Mode of payment;
      - (iv) Effect of nonpayment.
    - (d) Good health upon delivery;
    - (e) Ten-day free look.
  - (11) Claims process:
    - (a) Notice of claim;
    - (b) Proof of loss;
    - (c) Statute of limitations on claims/defenses;
    - (d) Settlement options:
      - (i) Right to elect or change:
        - (A) Owner's right;
        - (B) Beneficiary's right.
      - (ii) Lump sum;
      - (iii) Interest only;
      - (iv) Period certain, fixed amount.
  - (12) Federal taxation:
    - (a) Life insurance premiums;
    - (b) Proceeds;
    - (c) Dividends;
    - (d) Policy loans/withdrawals.

## NEW SECTION

### **WAC 284-17-553 DISABILITY INSURANCE**

#### **CURRICULUM. (1) Nature and purpose:**

- (a) Medical expenses;
- (b) Loss of income;
- (c) Defining disability:
  - (i) Temporary/permanent;
  - (ii) Partial/total – normal occupation/any occupation.
- (d) Accidental death/dismemberment;
- (e) Needs analysis: Human life value, economic value.
- (2) Underwriting considerations:
  - (a) Costs of illness or injury; morbidity tables:
    - (i) Age, sex, height, and weight;
    - (ii) Marital, financial status;
    - (iii) Occupation, avocation;
    - (iv) Current state of health.
  - (b) Rating standards:
    - (i) Reasonable, equitable, adequate;
    - (ii) Class exposures to a degree of risk.
- (3) Disability insurance policy provisions:
  - (a) Mandatory individual policy provisions:
    - (i) Grace period;
    - (ii) Reinstatement;
    - (iii) Misstatement of age or sex;
    - (iv) Change of beneficiary.
  - (b) Optional individual policy provisions and clauses:
    - (i) Unpaid premium;
    - (ii) Cancellation/renewability;
    - (iii) Nonoccupation/full coverage;
    - (iv) Change of occupation;
    - (v) Other insurance with this insurer;
    - (vi) Insurance with other insurer(s):
      - (A) On expense incurred basis;
      - (B) On another basis.
    - (c) Other provisions applicable to group or individual:
      - (i) Consideration/premium payment:
        - (A) Modes of payment;
        - (B) Effect of nonpayment.
      - (ii) Waiver of premium;
      - (iii) Policy continuation:
        - (A) Cancellable;
        - (B) Optionally renewable;
        - (C) Conditionally renewable;
        - (D) Guaranteed renewable;
        - (E) Noncancelable.
      - (iv) Preexisting conditions;
      - (v) Ten-day free look;
      - (vi) Claims control:
        - (A) Second surgical opinion;
        - (B) Precertification;
        - (C) Ambulatory treatment.
      - (vii) Assignment of benefits.
    - (4) Disability income policies:
      - (a) Types of coverage:
        - (i) Disability benefits in life insurance contract;
        - (ii) Group, individual;
        - (iii) Credit protection/mortgage protection;
        - (iv) Hospital income insurance;
        - (v) Business overhead expense.
      - (b) Standard policy provisions for income replacement:
        - (i) Waiting period;
        - (ii) Relation of earnings to insurance;
        - (iii) Nonduplication of benefits:
          - (A) Other insurers;
          - (B) Benefit maximum.
        - (c) Special policy provisions:
          - (i) Disability buy-out:
            - (A) Lump sum;
            - (B) Periodic payment;
          - (ii) Specified injury or illness.
        - (d) Benefit periods:
          - (i) Long term/short term;
          - (ii) Illness/injury.
        - (e) Benefit features, options:
          - (i) Cost of living adjustment;
          - (ii) Medical expense of accident;
          - (iii) Guaranteed insurability;
          - (iv) Accidental death or dismemberment;
          - (v) Social Security rider.
      - (5) Sources of medical (accident and health) benefits:
        - (a) Health care service contractors (HCSC);
        - (b) May include preferred providers (PPOs);
        - (c) Health maintenance organizations (HMOs);
        - (d) Health insurance (indemnification) companies;
        - (e) Health Insurance Coverage Access Act:
          - (i) Nature and purpose;
          - (ii) Eligibility;
          - (iii) Coverage available.
        - (6) Medical expense policies/medical service benefits:

- (a) Insuring agreements and perils covered:
- (i) Hospital expense;
  - (ii) Surgical expense;
  - (iii) Regular medical expense;
  - (iv) Major medical.
- (b) Standard contract provisions:
- (i) Mandated benefits and mandated options;
  - (ii) Expenses covered;
  - (iii) Exclusions/limitations;
  - (iv) Waiting period, preexisting/named conditions.
- (c) Common limitations/exclusions/optional coverages:
- (i) Self-inflicted injury;
  - (ii) Injured while engaged in illegal activity or under the influence of a controlled substance;
  - (iii) Injury caused by military conflict;
  - (iv) Elective cosmetic surgery;
  - (v) Optical, dental, audio care;
  - (vi) Maternity and childbirth;
  - (vii) Prescription drugs.
- (d) Limitations on insurer's expenses:
- (i) Benefit deductibles;
  - (ii) Coinsurance, copayment, stop loss;
  - (iii) Waiting period;
  - (iv) Benefit maximum;
  - (v) Standards for coordination of benefits/nonduplication of benefits;
  - (vi) Government entitlement programs.
- (7) Other individual disability coverages:
- (a) Long-term care:
  - (i) Nature and purpose;
  - (ii) Policies and contracts;
  - (iii) Skilled/intermediate care;
  - (iv) Disclosure;
  - (v) Prohibited practices;
  - (vi) Free look.
- (b) Medicare supplement:
- (i) Nature and purpose;
  - (ii) Minimum standards;
  - (iii) Preexisting conditions;
  - (iv) Disclosure;
  - (v) Renewability;
  - (vi) Replacement.
- (c) Specified disease insurance.
- (8) Group policy considerations:
- (a) Group enrollment restrictions:
  - (i) Age of applicant;
  - (ii) Coverage for dependents;
  - (iii) Time period for enrollment;
  - (iv) Preexisting condition.
- (b) Types of benefits;
- (c) Group underwriting considerations;
- (d) Master policy and certificates;
- (e) Approaches:
- (i) Franchise coverage;
  - (ii) Blanket coverage.
- (f) Mandatory benefits and options;
- (g) Conversion option;
- (h) Consolidated Omnibus Budget Reconciliation Act (COBRA).
- (9) Policy delivery:
- (a) Modified versus issued as requested;
  - (b) Explanation of coverage;
  - (c) Payment of premium:
  - (i) Paid upon application;
  - (ii) Paid upon delivery;
  - (iii) Mode of payment;
  - (iv) Effect of nonpayment.
- (d) Good health upon delivery;
- (e) Ten-day free look.
- (10) Insurance statutes and regulations:
- (a) Applicable to disability insurers only:
  - (i) Disability insurance advertising restrictions;
  - (ii) Group/blanket disability insurance:
  - (A) Extended health;
  - (B) Disability insurance loss ratios.
  - (iii) Washington Life and Disability Insurance Guaranty Association;
  - (iv) Trade practices:
  - (A) Trade practice rules;
  - (B) Unfair claims practices.
- (b) Applicable to all medical services coverage carriers:
- (i) Standards for group chemical dependency coverage;
  - (ii) Rules pertaining to AIDS;
  - (iii) Health Care False Claim Act.
- (11) Claims:
- (a) Notice, forms, time limit;
  - (b) Proof of claim: Physical examination/autopsy;
  - (c) Legal action:
  - (i) Statute of limitations;
  - (ii) Coordination of benefits.
- (d) Settlement:
- (i) Payment of claims;
  - (ii) Time and method of payment.
- (12) Federal taxation:
- (a) Premiums;
  - (b) Benefits.

## NEW SECTION

WAC 284-17-554 CASUALTY INSURANCE CURRICULUM. (1) Defining casualty insurance. Insurable interest; insured's legal liability for:

- (a) Bodily injury, disability or death of any human being:
  - (i) Medical, hospital, surgical costs;
  - (ii) Funeral benefits.
- (b) Liability for loss of/damage to the property of others:
  - (c) Coverage for personal injury:
    - (i) Libel, slander, defamation of character;
    - (ii) Wrongful eviction.
  - (d) Any other kind of loss, damage, or liability which is:
    - (i) Properly the subject of insurance;
    - (ii) Not within another insurance definition; and
    - (iii) Not contrary to law or public policy.
- (2) Legal basis for liability:
  - (a) Intentional tort;
  - (b) Statutory liability;
  - (c) Product/absolute/strict liability;
  - (d) Negligence:
  - (i) Principles:

- (A) Duty of care;
- (B) Breach of duty was proximate cause of injury;
- (C) Injury in fact.
- (ii) Defenses:
  - (A) Contributory negligence;
  - (B) Comparative negligence;
  - (C) Last clear chance;
  - (D) Assumption of risk.
- (iii) Degrees of care owed to:
  - (A) Trespasser;
  - (B) Licensee;
  - (C) Invitee;
  - (D) Children.
- (iv) Reasonable person standard applied to:
  - (A) Attractive nuisance;
  - (B) Extra hazardous operations.
- (e) Sources of liability:
  - (i) Direct;
  - (ii) Contingent;
  - (iii) Contractual;
  - (iv) Vicarious.
- (3) Evaluating casualty insurance needs:
  - (a) Maximum probable loss:
    - (i) Personal injury;
    - (ii) Bodily injury;
    - (iii) Injury to insured's reputation;
    - (iv) Mental distress; insured's lost wages;
    - (v) Defense costs;
    - (vi) Property damage.
  - (b) Factors affecting rates:
    - (i) Risks, perils, hazards;
    - (ii) Personal, business habits;
    - (iii) Blanket/specific coverage;
    - (iv) Monoline/package policy;
    - (v) Other primary or excess insurance;
    - (vi) Experience rating;
    - (vii) Deposit premium/audit.
  - (c) Liability limits:
    - (i) Per person;
    - (ii) Per occurrence;
    - (iii) Aggregate;
    - (iv) Split/single limit.
  - (d) Occurrence policy; claims made policy;
  - (e) Application content and binders.
- (4) Major classes of policy provisions:
  - (a) Declarations:
    - (i) First named insured, additional insureds;
    - (ii) Policy period, policy territory, perils;
    - (iii) Liability limits.
  - (b) Insuring agreement;
  - (c) Conditions:
    - (i) Liberalization;
    - (ii) Subrogation;
    - (iii) Assignment.
  - (d) Exclusions;
  - (e) Definitions.
- (5) Homeowners (section II) coverage – ISO HO-84 and Washington amendatory endorsement HO-300 (01/89):
  - (a) Nature and eligibility;
  - (b) Liability insuring agreement/exclusions;
  - (c) Medical payment insuring agreement/exclusions;
- (d) Additional coverages and conditions;
- (e) Common endorsements:
  - (i) Business pursuits;
  - (ii) Permitted incidental occupancy;
  - (iii) Watercraft;
  - (iv) Additional resident premises rented to others.
- (f) Other personal packages:
  - (i) Mobile home owner;
  - (ii) Farmowner.
- (g) Miscellaneous personal casualty coverages:
  - (i) Umbrella;
  - (ii) Excess auto liability;
  - (iii) Recreational vehicles;
  - (iv) Watercraft/yacht.
- (6) Automobile coverage:
  - (a) Financial responsibility:
    - (i) Proof defined;
    - (ii) Persons required to show proof;
    - (iii) Methods of satisfying financial responsibility;
    - (iv) Penalty for noncompliance.
  - (b) Coverages:
    - (i) Bodily injury;
    - (ii) Personal injury protection;
    - (iii) Medical payments;
    - (iv) Property damage;
    - (v) Collision;
    - (vi) Other than collision;
    - (vii) Towing expense, rental reimbursement;
    - (viii) Supplementary payments;
    - (ix) Uninsured motorist;
    - (x) Under-insured motorist.
  - (c) Personal auto:
    - (i) Common policies and endorsements:
      - (A) Personal auto policy;
      - (B) Broad form named operator;
      - (C) Extended nonowned liability;
      - (D) Debt and financing coverage.
    - (ii) Cancellation or nonrenewal:
      - (A) By insured/by insurer;
      - (B) Statutory requirements, notice; return of premium;
      - (C) Trade practice regulations.
- (d) Business auto:
  - (i) Owned;
  - (ii) Nonowned;
  - (iii) Hired;
  - (iv) Garage liability;
  - (v) Garagekeeper's liability.
- (7) Commercial casualty:
  - (a) Basic hazards:
    - (i) General liability;
    - (ii) Contractual liability;
    - (iii) Independent contractors;
    - (iv) Pollution/environmental impairment;
    - (v) Premises and operations;
    - (vi) Products and completed operations;
    - (vii) Personal and advertising injury.
  - (b) Types of commercial package policies:
    - (i) Commercial package policy;
    - (ii) Businessowner's policy (section II):
      - (A) Nature and purpose;
      - (B) Standard/special form;

- (C) Coverages, exclusions;
- (D) Optional coverages.
- (c) Miscellaneous commercial casualty coverages:
  - (i) Legal liability;
  - (ii) Professional liability;
  - (iii) Director's/officer's liability;
  - (iv) Stop-gap;
  - (v) Umbrella;
  - (vi) Excess insurance;
  - (vii) Boiler and machinery;
  - (viii) Motor vehicle mechanical breakdown;
  - (ix) Ocean marine.
- (8) Crime coverage:
  - (a) Major perils:
    - (i) Forgery/alteration;
    - (ii) Theft/disappearance, destruction/vandalism;
    - (iii) Safe robbery;
    - (iv) Robbery, burglary.
  - (b) Primary crime coverage forms:
    - (i) Premises burglary;
    - (ii) Robbery and safe burglary;
    - (iii) Theft, disappearance and destruction.
- (c) Fidelity:
  - (i) Employee dishonesty coverage form:
    - (A) Individual;
    - (B) Scheduled;
    - (C) Blanket.
  - (ii) Financial institution bond.
  - (d) Surety bond:
    - (i) Surety distinguished from insurance;
    - (ii) Parties to the contract;
    - (iii) Promise of the surety;
    - (iv) Major classes of surety bond.
- (9) Government programs:
  - (a) Worker's compensation;
  - (b) The Jones Act;
  - (c) The Longshore and Harbor Workers' Act;
  - (d) National Crime Program;
  - (e) Washington Automobile Insurance Plan.

## NEW SECTION

- WAC 284-17-555 PROPERTY INSURANCE CURRICULUM.
- (1) Defining property insurance:
    - (a) Loss of or damage to real or personal property;
    - (b) Loss of interest in real or personal property.
  - (2) Evaluation of risk:
    - (a) Maximum probable loss:
      - (i) Direct loss;
      - (ii) Indirect loss.
    - (b) Factors affecting rates:
      - (i) Risks, perils, hazards;
      - (ii) Personal, business habits;
      - (iii) Blanket/specific coverage;
      - (iv) Coinsurance.
  - (3) Personal insurance coverages:
    - (a) Dwelling property forms – Basic, broad, or special:
      - (i) Nature and eligibility;
      - (ii) Property covered/excluded;
      - (iii) Perils covered/excluded;
      - (iv) Deductibles;

- (v) Limitation on loss settlement;
- (vi) Other conditions and provisions.
- (b) Homeowners (section I) coverage – ISO HO-84 and Washington amendatory endorsement HO-300 (01/89):
  - (i) Nature and eligibility;
  - (ii) Property covered:
    - (A) Personal dwelling;
    - (B) Other appurtenant private structures;
    - (C) Unscheduled personal property;
    - (D) Additional living expense.
  - (iii) Perils covered/excluded;
  - (iv) Property limited/excluded;
  - (v) Other provisions or conditions;
  - (vi) Cancellation or nonrenewal:
    - (A) Statutory requirements, notice; return of premium;
    - (B) Trade practice regulations.
  - (vii) Common endorsements:
    - (A) Replacement cost on contents;
    - (B) Guaranteed replacement cost on dwelling;
    - (C) Scheduled personal property;
    - (D) Earthquake;
    - (E) Inflation guard.
  - (c) Other personal packages:
    - (i) Mobile home;
    - (ii) Farmowners.
  - (4) Commercial property coverages:
    - (a) Property covered:
      - (i) Building;
      - (ii) Insured's business personal property;
      - (iii) Personal property of others.
    - (b) Cause of loss forms:
      - (i) Basic;
      - (ii) Broad;
      - (iii) Special.
    - (c) Property limited or excluded;
    - (d) Optional coverages;
    - (e) Conditions, provisions, and extensions of coverage;
    - (f) Types of commercial package policies:
      - (i) Commercial package policy;
      - (ii) Businessowner's policy (section I):
        - (A) Nature and purpose;
        - (B) Standard/special form;
        - (C) Coverages, exclusions;
        - (D) Property limited or excluded.
      - (g) Miscellaneous commercial property insurance:
        - (i) Business income:
          - (A) General nature;
          - (B) Losses covered.
        - (ii) Extra expense;
        - (iii) Glass;
        - (iv) Earthquake;
        - (v) Inland marine;
        - (vi) Ocean marine/yacht.
    - (5) Government programs:
      - (a) National Flood Insurance Program;
      - (b) Fair Access to Insurance Requirements (FAIR) plan;
      - (c) Washington Insurance Guaranty Association;
      - (d) Federal Crop Insurance Program.

**NEW SECTION**

**WAC 284-17-560 PROVIDERS NOT APPROVED.** The commissioner may deny approval to any prelicense education provider based upon:

(1) Such provider's refusal or failure to comply with any of the requirements of chapter 284-17 WAC, including but not limited to the provider's employment and use of an unqualified program director or instructor; or

(2) Any owner, operator, program director, instructor, or other employee of such provider has, directly or indirectly, compromised or attempted to compromise the integrity or security of Washington state licensing examination questions, or has induced another to do so; or

(3) Any owner, operator, program director, instructor, or other employee of such provider has been cited for noncompliance with any of the requirements of this chapter or chapter 284-12 WAC, or of any other statute or regulation pertaining to the sale of insurance or to insurance education; or has been cited for violations of statutes, regulations, or copyrights related to an examination for any occupational license.

**NEW SECTION**

**WAC 284-17-565 APPROVED PROVIDERS—LOSS OF APPROVAL.** (1) The commissioner may suspend or revoke approval of any prelicense education provider based upon a finding that:

(a) Any owner, operator, program director, instructor, or other employee of such provider has failed to comply with any of the requirements of chapter 284-17 WAC, including but not limited to the failure to employ a qualified program director or instructor(s); or

(b) Any owner, operator, program director, instructor, or other employee of such provider has, directly or indirectly, compromised or attempted to compromise the integrity or security of Washington state licensing examination questions, or has induced another to do so; or

(c) Such provider has failed to maintain an effective instructional program, or has misrepresented the quality of the instruction provided, to the detriment of its students.

(2) The commissioner may suspend or revoke approval of any prelicense education provider based upon such provider's failure to:

(a) Reply promptly, in writing, to an inquiry of the commissioner.

(b) Submit revised course outlines requested by the commissioner. If changes are implemented in the prescribed prelicense curricula, affected providers must submit revised course outlines at least fifteen calendar days before the implementation date.

(c) Make timely disclosure to the office of insurance commissioner and to enrolling students at the time of their enrollment of any offer or payment of any rebate, refund, fee, commission, or discount to persons, other than the provider's full-time employees, in connection with referrals of students to the provider.

**NEW SECTION**

**WAC 284-17-570 IMPLEMENTATION DATES.** WAC 284-17-530 through 284-17-565 concerning prelicense education providers shall be effective thirty calendar days from the date filed with the code reviser.

(1) Each person seeking initial provider approval, and intending to offer approved courses before July 1989, must submit a request for provider approval to the commissioner before March 1, 1989.

(2) A request for provider approval that is received after March 1, 1989, may not be granted before July 1, 1989.

**WSR 89-01-056****NOTICE OF PUBLIC MEETINGS  
INVESTMENT BOARD**

[Memorandum—December 19, 1988]

The regular meetings of the State Investment Board for 1989 will begin at 9:00 a.m. on the following dates and at the following locations:

February 13, 1989	Transportation Building Transportation Commission Board Room Olympia, Washington
May 8, 1989	
June 19, 1989	
August 14, 1989	Frank Russell Company 909 A. Street Tacoma, WA 98402
November 13, 1989	
December 11, 1989	

**WSR 89-01-057****NOTICE OF PUBLIC MEETINGS  
CLARK COLLEGE**

[Memorandum—December 16, 1988]

The Clark College board of trustees, at its meeting held December 13, 1988, approved the meeting dates for 1989 which are:

January 25	July 26
February 22	August 23
March 15	September 27
April 26	October 25
May 24	November 15
June 28	December 13

**WSR 89-01-058****NOTICE OF PUBLIC MEETINGS  
PENINSULA COLLEGE**

[Memorandum—December 16, 1988]

The board of trustees of Community College District #1, meeting in regular session on December 13, 1988, adopted the schedule of meeting dates as follows for the 1989 calendar year:

January 17  
 February 21  
 March 21  
 April 18  
 May 16  
 June 20  
 August 22  
 September 19  
 October 17  
 November 21  
 December 12

Tuesday, July 18, 1989  
 Tuesday, August 15, 1989  
 Tuesday, September 19, 1989  
 Tuesday, October 17, 1989  
 Tuesday, November 21, 1989  
 Tuesday, December 19, 1989

**WSR 89-01-061**
**NOTICE OF PUBLIC MEETINGS  
 EDMONDS COMMUNITY COLLEGE**  
 [Memorandum—December 19, 1988]

**WSR 89-01-059**  
**NOTICE OF PUBLIC MEETINGS  
 SKAGIT VALLEY COLLEGE**  
 [Memorandum—December 16, 1988]

The board of trustees of Skagit Valley College, Community College District No. 4, will hold its regular meetings at 7:15 p.m. on the second Tuesday of each month in 1989, except for the month of June when it will be the first Tuesday, and the month of August when there is no meeting. All of these meetings will be held in the Campus Center Annex Board Room on the Mount Vernon Campus, except the March meeting which will be held at the Whidbey Campus in the Administration Building, 1201 East Pioneer Way, Oak Harbor, WA.

The dates of the regular meetings are:

January 10  
 February 14  
 March 14  
 April 11  
 May 9  
 June 6  
 July 11  
 September 12  
 October 10  
 November 14  
 December 12

The board of trustees adopt the following schedule for its 1989 meetings:

**1989 Board of Trustees Meeting Schedule**

January 19	Thursday	5:00 p.m.
February 16	Thursday	5:00 p.m.
March 16	Thursday	5:00 p.m.
April 18	Tuesday	5:00 p.m.
May 15	Monday	5:00 p.m.
June 15	Thursday	5:00 p.m.
July 20	Thursday	5:00 p.m.
August 17	Thursday	5:00 p.m.
September 18	Monday	5:00 p.m.
October 19	Thursday	5:00 p.m.
November 16	Thursday	5:00 p.m.
December 21	Thursday	5:00 p.m.

**WSR 89-01-062**
**NOTICE OF PUBLIC MEETINGS  
 DEPARTMENT OF LICENSING  
 (Board of Registration for Professional Engineers and  
 Land Surveyors)**  
 [Memorandum—December 19, 1988]

The Board of Registration for Professional Engineers and Land Surveyors will be holding their "regular" meeting on June 2, 1989, at the Ramada Inn Motel in Spokane, Washington.

**WSR 89-01-060**  
**NOTICE OF PUBLIC MEETINGS  
 SPOKANE COMMUNITY COLLEGES**  
 [Memorandum—December 15, 1988]

The regular meetings of the board of trustees of Washington Community College District 17 (the Community Colleges of Spokane) during calendar year 1989 shall be held at 1:30 p.m. in the District Board Room at N. 2000 Greene Street, Spokane, WA on the following dates:

Tuesday, January 17, 1989  
 Tuesday, February 14, 1989  
 Tuesday, March 14, 1989  
 Tuesday, April 18, 1989  
 Tuesday, May 16, 1989  
 Tuesday, June 20, 1989

**WSR 89-01-063**
**ADOPTED RULES  
 THE EVERGREEN STATE COLLEGE**

[Order 88-4, Resolution No. 88-41—Filed December 19, 1988]

Be it resolved by the board of trustees of The Evergreen State College, acting at The Evergreen State College board room, that it does adopt the annexed rules relating to computer services, WAC 174-132-010 through 174-132-120.

This action is taken pursuant to Notice No. WSR 88-22-079 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the The Evergreen State College as authorized in RCW 28B.40.120(12).

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 14, 1988.

By Joseph D. Olander  
President

**NEW CHAPTER**  
**CHAPTER 174-132 WAC**  
**POLICY STATEMENT ON COMPUTER SERVICES**

**NEW SECTION**

**WAC 174-132-010 GENERAL** Computer Services is responsible for providing computing services to both academic and administrative users. Computer Services operates with the advice of an Academic Computing Users Group and an Administrative Computing Users Group. Membership in the user groups consists of user constituents and includes faculty, staff and students. Interested users should contact Computer Services for meeting schedules.

**NEW SECTION**

**WAC 174-132-020 ACQUISITION OF INFORMATION PROCESSING RESOURCES** The Department of Information Services (DIS) of the State of Washington has acquisition authority for computing equipment, software and supportive services. The DIS has delegated the authority for purchases of computing resources up to \$50,000 to the Director of Computer Services at the college.

(1) The Director of Computer Services must sign all purchase requisitions for computing resources. Computer services must submit a monthly report describing acquisition activity to the DIS. Normally, all computing resources must be competitively acquired via a bidding process (RCW 43.19.190 et seq.; Ch 43.105 RCW; as amended).

(2) For acquisitions in excess of \$50,000 approval must be obtained from the Department of Information Services through the Director of Computer Services. Normally, a formal acquisition plan will be required with a cost/benefit analysis.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the institution and appears herein pursuant to the requirements of RCW 34.08.040.

**NEW SECTION**

**WAC 174-132-030 INFORMATION PROCESSING PLAN** The Department of Information Services requires that the college update and submit an Information Processing Plan annually. This plan is prepared by Computer Services in consultation with users and in coordination with college budget plans.

**NEW SECTION**

**WAC 174-132-040 SECURITY PLAN** Computer Services is also required to prepare a security plan for computing resources annually. This planning process includes a review of physical security of computing resources to prevent damage from fire and theft. It also involves a review of backup and recovery schedules in case of catastrophic events such as earthquake or floods.

**NEW SECTION**

**WAC 174-132-050 ACADEMIC COMPUTING**

(1) **General Philosophy** The Evergreen State College has a strong commitment to a liberal arts education in which students develop fundamental intellectual abilities and problem-solving techniques rather than merely acquire knowledge of a particular body of facts. Out of this educational philosophy and the growing importance of the computer as an analytic tool and as a social phenomenon, Computer Services has a strong commitment to supporting Evergreen students with a variety of computer resources. Evergreen's modes of study are highly individualized, interdisciplinary, and project oriented.

(a) That they are individualized implies that the college attempts to serve students having widely differing abilities, motivations, and interests and must call on all available resources within the college to provide breadth.

(b) That they are interdisciplinary implies that much instruction is a team effort involving the coordination of staff, faculty, and material resources directed at a student interest group rather than a traditional discipline.

(i) That they are project-oriented implies that many students are involved in work on real-world problems. In order to equitably provide such resources to the Evergreen community, a set of general and specific operational policies are required.

**NEW SECTION**

**WAC 174-132-060 GENERAL POLICIES** (1) All students, faculty, and staff at The Evergreen State College are provided with free or low cost access to the academic computing resources with academic usage limited by available resources.

(2) No commercial work of any kind will be accepted. It is contrary to the intent of this policy and to state law for college computing resources to be used for the direct personal financial gain (real or intended) of any individual.

(3) TESC Computer Services recognizes that the TESC modes of study are in many ways unique. Consequently, Computer Services is committed to a policy of flexibility in meeting the needs of TESC students, faculty, and staff.

(4) Academic computing resources are provided to currently enrolled students to facilitate program research and project completion. Computer-oriented credit-generating programs, when computer resources are limited, have priority access to computing resources. Otherwise, an open access policy prevails circumscribed by necessary class/lab and exercise practice reserve times.

**NEW SECTION**

**WAC 174-132-070 PRIVACY** A student's data, existing in an academic computer account, will be released to a third party only when required by law (rather than not being released only when prohibited by law). Student accounts on Academic Computing systems will be administered and reviewed by Academic Computing staff as required for system management and administration.

**NEW SECTION**

**WAC 174-132-080 ABUSE OF COLLEGE COMPUTING RESOURCES** Users of Computer Services are expected to use its resources in a responsible manner and with regard for other user rights. Computer Services relies on peer pressure, individual responsibility, Evergreen rules and policies, and the general body of law to prevent abuse of the College's computing resources.

**NEW SECTION**

**WAC 174-132-090 COPYING OF SOFTWARE**  
(1) NO DUPLICATION of copyrighted material is permissible. (Under guidelines of title 17 of the U.S. code.) Violators may lose computing access privileges and be subject to further discipline.

(2) No copyrighted software may be placed on any hard disk system without authorization from the copyright owner and the Manager of Academic Computing.

**NEW SECTION**

**WAC 174-132-100 ACCOUNT USAGE AND LIFETIMES** As a user of academic computing resources and a participatory member of the user community, the account holder agrees to abide by current rules and procedures for utilization of computing resources available through Academic Computing; the account holder agrees to abide by all of the rules and policies established by TESC and Computer Services.

(1) Further, the account holder will hold account access/usage to himself/herself and not loan or authorize any other person usage of the account. Failure to comply will result in immediate termination of the account and contents and loss of computing access privileges. The College may also require reimbursement of costs which, if not paid, may necessitate further disciplinary action, as provided for by College rules including, but not limited to, withholding transcripts, registration denial, suspension or expulsion.

(2) Student accounts, with program suffixes, will exist on an academic system as long as a student is enrolled in the particular program or course. Generic student accounts will exist for one quarter after the student is no longer registered as an Evergreen student or is matriculated. Backed-up account data will be maintained for one year after a student is no longer registered as an Evergreen student; system changes and updates may prevent the data from being reloadable.

**NEW SECTION**

**WAC 174-132-110 ADMINISTRATIVE COMPUTING** General Administrative Computing provides computing support to administrative users in the areas of systems and programming, microcomputer acquisitions, training and support, office automation, data communications and computer operations.

(1) Policies Administrative users are not billed for computer support. Funding is secured via the college budget request process. Allocations of resources are made in consultation with the Administrative Computing Users Group, President and Vice Presidents.

(2) Software developed for Administrative Computing at Evergreen will be made available to other state institutions. Likewise, Evergreen will seek to purchase software and to use common systems such as the Washington Community College Consortium payroll/personnel system when they are cost effective for the college.

(3) Administrative Computing will support a small number of commonly used microcomputers and microcomputer software such as Wordperfect and Lotus 1-2-3 and will encourage standardization of hardware and software used on campus.

(4) In the interest of providing high quality and reliable services, Administrative Computing will work with DIS and Electronic Maintenance and Engineering to acquire maintenance contracts on major computing hardware and software in situations where it is not cost-effective or feasible to maintain the hardware and software on campus. Reliance on Electronics Maintenance and Engineering will be made for maintenance of communications equipment, microcomputers, printers and other commonly used equipment.

**NEW SECTION**

**WAC 174-132-120 REQUESTS FOR SERVICES** Requests for systems development services are initiated by users and must include the following information:

(1) Description and scope of the project and objectives to be accomplished;

(2) Benefits to be realized including quantified cost savings as well as intangible benefits;

- (a) Contact for additional information;
- (b) Desired implementation date;
- (c) Authorizing/approving signatory;
- (d) Approval/request date.

(3) Administrative Computing will assess the operational, technical and economic impact of the request and develop a preliminary estimate of costs including labor, computing, telecommunications and ongoing operational costs. This information will then be reviewed with the requesting user and prioritized.

(4) Requests for access/connection to computing resources are initiated by users and include:

(a) Date, unit, person to contact, location/room telephone number;

- (b) Number and type of devices to be connected;
- (c) Purpose and justification.

(5) Administrative Computing assesses the technical requirements such as system load and configuration and

coordinates the request with Electronic Maintenance and Engineering and the individuals responsible for access to data bases. The request is then reviewed with the requesting user for development of an implementation schedule if the connection is feasible and resources are available.

#### WSR 89-01-064

##### ADOPTED RULES

##### THE EVERGREEN STATE COLLEGE

[Order 88-5, Resolution No. 88-43—Filed December 19, 1988]

Be it resolved by the board of trustees of The Evergreen State College, acting at The Evergreen State College board room, that it does adopt the annexed rules relating to library, WAC 174-136-060 through 174-136-120.

This action is taken pursuant to Notice No. WSR 88-22-082 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of The Evergreen State College as authorized in RCW 28B.40.120(12).

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 14, 1988.

By Joseph D. Olander  
President

#### AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

WAC 174-136-060 ACCESS AND USE OF LIBRARY RESOURCES ((†)) Any person has access to the public areas of the library. Library resources (except those noted below) may be borrowed by members of the Evergreen community with a valid Evergreen State College identification card, and by members of the local community who have suitable identification (e.g., driver's license).

Reviser's note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

#### WAC 174-136-080 LOAN PERIODS AND FINES (1) GENERAL USE LIBRARY RESOURCES (PRINT AND NONPRINT).

(a) ((Users set their own due date not to exceed one quarter)) Due dates will not exceed one academic quarter. Requests for extended loan periods should be cleared through the head of circulation. Renewals should be requested before due date.

(b) Users are guaranteed the use of the material for ((one week)) ten days, after which it may be recalled to meet the needs of another user. ((Failure to respond to library recall occasioned by another user's request within 48 hours will require that the library assess a service charge of up to \$5.00 to cover the cost of recovery. Materials not returned within seven days of recall due date will be presumed lost and their replacement value charged to the borrower.)) A \$5.00 service charge will be levied if the recall due date is not honored. If an item is not returned within 60 days, a replacement charge and processing fee will be levied.

(2) Limited use library resources.

(a) Limited use library resources (e.g., video tapes) will only be loaned for specific periods. ((Because of high demand, materials not returned by the specified due date will be recalled. Failure to respond to library recall within 24 hours will require that the library assess a service charge of up to \$5.00 to cover the cost of recovery. Borrowers who fail to return the materials within 48 hours of recall will also be billed the replacement cost of the material.))

(b) ((Portable media loan equipment.

((i)) Loan equipment may be reserved if its use is related directly to coordinated or contracted studies or other evaluated learning experiences. By advance reservation, some items required can be loaned for an extended period of time. Loan equipment for other uses will be on an "as available" basis. In all instances, the user will be asked to specify a return date so other requests and reservations can be honored.

((ii))) Charges will be made to users outside The Evergreen College community and to funded workshops, seminars, conferences or self-sustaining programs. Charges will be consistent with current commercial rates.

((iii))) As use patterns develop, it may become necessary to limit the loan period for a piece of equipment. Such limited loan periods will be established by the equipment dispatcher and the associate dean of library services as required.

((e))) Slides are checked out for showings only. ((Slides requested for continuing use should be duplicated.

((d))) (c) 16mm films and video cassettes will be checked out for showings only and ((may be held a maximum of three days)) are circulated through the services of the Washington State Film Library.

(d) Media Services Resources.

((i))) The first priority for use of Media Services resources is for coordinated and contracted studies. Resource requests will be handled by and administered in accordance with policy formulated by the Coordinator of Media Services.

((ii))) Charges consistent with current commercial rates will be made to users outside The Evergreen State College community and to non-academic workshops, seminars, conferences or self-sustaining programs.

((e))) Portable Media Loan Equipment. Media Loan circulates audio/visual equipment to students, staff, and faculty of the college to support academic work and college business. The first priority for use of Media Loan

resources is for coordinated and contracted studies. Borrowers are liable for loss or damage of equipment and any associated processing fees.

(i) Media Loan reserves the right to deny privileges if a borrower is in violation of state operating procedures (see Media Loan Policy Statement). Campus Security may be asked to contact the borrower in cases where equipment is more than two weeks overdue.

(ii) To assure borrowers that equipment will be available for reservations, overdue fines will be assessed for late equipment. Fines are uniform regardless of the kind of equipment. A \$3 charge per transaction will be levied when equipment is one day overdue. A \$5 additional charge will be levied once a week for the next two weeks. If equipment is more than two weeks overdue, the borrower may lose privileges and \$20 weekly fines (up to the cost of the items) will be assessed until the equipment is returned.

(iii) If the borrower keeps equipment out over the end of the academic quarter, the replacement cost and a two dollar (\$2) service fee will be charged to his or her account. This replacement fee will be rescinded when the equipment is returned., but accumulated overdue fees and service fees will be not rescinded.

(iv) When equipment is returned and all fees and charges have been paid, a borrower may make an appointment with the Head of Media Loan to review policies and procedures in order to determine if borrowing privileges may be restored.

(v) Late fees, replacement charges and service fees are deposited in a Library account for replacement of Media Loan equipment.

(vi) Charges will be made to funded workshops, seminars, conferences or self-sustaining programs. Charges will be consistent with current commercial rates.

(vii) Borrowers may be required to carry insurance for large packages of equipment (the college has no insurance). Insurance is a requirement if equipment is to leave the country.

((t))) (f) Other library resources((, such as the following, with)) can circulate by special arrangement with the head of circulation or appropriate budget unit head account manager and are subject to recall and replacement charges.

- ((t)) Archives;
- ((t)) current and microfilmed periodicals;
- ((t)) electronic test equipment;
- ((t)) maps;
- ((t)) media production equipment;
- ((t)) nonprint master materials;
- ((t)) rare materials;
- ((t)) reference materials;
- ((t)) set and model shop tools; and,
- ((t)) special collections.))

(3) Borrowers who repeatedly ignore the rights of other borrowers((, and who)) or abuse the responsibilities inherent in sharing library resources with the rest of the Evergreen community, shall be denied the privilege of borrowing those resources for the remainder of the quarter.

Reviser's note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule

published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the institution and appear herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

**WAC 174-136-090 LOST AND DAMAGED LIBRARY RESOURCES** (1) The borrower is responsible for loss.

(2) The borrower is responsible for damage.

(3) The borrower is responsible for the proper operation of media loan equipment.

~~(4) ((If the borrower does not wish to assume the full financial responsibility for library resources, the college will offer optional damage insurance. For details, consult the main circulation desk or the media distribution center.~~

~~(5) Lost resources should be reported:)) It is the borrower's responsibility to pay for lost resources before the end of the quarter. The cost of lost resources shall be their replacement value and a processing fee (\$12.00 for library books).~~

**Reviser's note:** RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

**WAC 174-136-100 RESERVE ((t)))** Materials on reserve will be found at the circulation desk. ~~((Reserve loan periods are established by the type of material and by the number of users who will need it.))~~

**Reviser's note:** RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

**WAC 174-136-110 CHARGING OUT LIBRARY RESOURCES** ~~((t)))~~ Resources are charged out at the main circulation desk, at the Media ~~((distribution center))~~ Loan desk, and at other appropriate locations in the library.

**Reviser's note:** RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

**WAC 174-136-120 INTERLIBRARY LOAN** ~~((t)))~~ The library will attempt to obtain resources from wherever available. Interlibrary loan services are maintained by the reference services.

**Reviser's note:** RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**REPEALER**

The following sections of the Washington Administrative Code are each repealed:

## (1) WAC 174-136-070 PRIORITY

**WSR 89-01-065**  
**EMERGENCY RULES**  
**INSURANCE COMMISSIONER**  
[Order R 88-15—Filed December 19, 1988]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the amendment of WAC 284-23-550(1) to reduce the interest rate to be applied to the cumulative premiums from six to five percent.

I, Dick Marquardt, Insurance Commissioner, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is following the public hearing concerning the adoption of WAC 284-23-550, it was determined the rule should be based on a rate of five instead of the proposed six percent. By error, the rule was filed without the change. The change is adopted on an emergency basis to allow insurers adequate time to make necessary adjustments to comply with the rule by its applicable April 1, 1989, date.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 48.02.060 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.30.010.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 19, 1988.

Dick Marquardt  
Insurance Commissioner  
By David H. Rodgers  
Chief Deputy  
Insurance Commissioner

**AMENDATORY SECTION** (Amending Order R 88-12, filed 12/7/88)

**WAC 284-23-550 RELATIONSHIP OF DEATH BENEFITS TO PREMIUMS—UNFAIR PRACTICE DEFINED.** (1) It is an unfair practice for any insurer to provide life insurance coverage on any person through a policy or certificate of coverage delivered on or after April 1, 1989, to or on behalf of such person in this state, unless the benefit payable at death under such policy or certificate will equal or exceed the cumulative premiums, as defined in subsection (4) of this section, paid for the policy or certificate, plus interest thereon at the rate of ((six)) five percent per annum compounded

annually to the tenth anniversary of the effective date of coverage.

(2) This section applies to death benefits in relation to premiums, subject to the following provisions:

(a) When determining the relationship between benefits and premiums as set forth in subsection (1) of this section, neither premiums nor death benefits shall be adjusted for maturity benefits, surrender benefits, or policy loans.

(b) Annuity benefits, including annuity death benefits, and the premiums therefor shall be disregarded in applying this section.

(c) The following benefits, but not the premiums therefor, shall be disregarded in applying this section:

(i) Accidental death benefits;

(ii) Permanent disability benefits; and

(iii) Any benefit similar to (c)(i) or (ii), of this subsection.

(3) For coverage which varies by duration, including coverage provided through dividends, the "benefit payable at death" for purposes of this section is the sum of the least death benefit during each policy year, for the lesser of ten years or the term of the coverage, including renewals, divided by the number of death benefits included in said sum.

(4) "Cumulative premiums," for purposes of this section, means all sums paid as consideration, net of dividends paid in cash in an orderly progression, for the coverage during the first ten years of the coverage, excluding amounts which are designated in the policy or certificate as providing for annuity benefits.

(5) The benefits required by this section shall be provided contractually. If the policy or certificate must rely on dividends or "nonguaranteed" premiums or benefits to obtain compliance, then said policy or certificate shall contain a provision guaranteeing compliance.

(6) This section does not apply to:

(a) Life insurance where the minimum death benefit is twenty-five thousand dollars or more; or

(b) Group life insurance coverage unless the insured pays all or substantially all of the premium; or

(c) Limited payment whole life insurance where the death benefit is constant and the premiums are level at all times, if the death benefit exceeds the total of all premium payments.

(7) Approval of the policy forms which do not comply with this section is hereby withdrawn effective April 1, 1989.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 89-01-066**  
ATTORNEY GENERAL OPINION  
Cite as: AGO 1988 No. 30  
[December 14, 1988]

SEXUALLY TRANSMITTED DISEASE—HEALTH—MARRIAGE—AMENDMENT—LICENSES

That portion of RCW 26.04.210 which requires applicants for marriage licenses to make and file with the county an affidavit showing they are not afflicted with any contagious venereal disease is still enforceable, and was not repealed or amended by chapter 206, Laws of 1988 (an act relating to AIDS and other sexually transmitted diseases).

Requested by:

Honorable Seth R. Dawson  
Snohomish County Prosecuting Attorney  
Mission Building  
3000 Rockefeller Avenue  
Everett, WA 98201

### **WSR 89-01-067**

#### **WITHDRAWAL OF PROPOSED RULES HIGHER EDUCATION PERSONNEL BOARD**

[Filed December 20, 1988]

Please withdraw our August 24, 1988, filing of an amendment to WAC 251-12-075 pursuant to Notice No. WSR 88-17-106. The board did not act on this proposal at their October 5, 1988, meeting.

John A. Spitz  
Director

### **WSR 89-01-068**

#### **PROPOSED RULES**

#### **HIGHER EDUCATION PERSONNEL BOARD**

[Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd	WAC 251-12-075	Appeals from alleged violations of HEPB law or rules.
New	WAC 251-12-087	Hearings on exceptions from director's determination.
Amd	WAC 251-14-110	Arbitration—Collective bargaining impasse—Grievance disputes;

that the agency will at 9:00 a.m., Thursday, February 2, 1989, in the Board Room, Bellevue Community College, Bellevue, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 1, 1989.

Dated: December 20, 1988  
By: John A. Spitz  
Director

### **STATEMENT OF PURPOSE**

This statement is related to the notice filed with the code reviser on December 20, 1988, and is filed pursuant to RCW 34.04.025.

**Description of Purpose:** To clarify the procedures for exceptions and to allow the board to request clarification of information during exception hearings.

**Specific Statute this Rule is Intended to Implement:** RCW 28B.16.100.

**Statutory Authority:** RCW 28B.16.100 to implement the provisions of that section.

**Title:** WAC 251-12-075 Appeals from alleged violations of HEPB law or rules.

**Summary of Rule:** Allows the board to request clarification of information during an exceptions hearing.

**Title:** WAC 251-12-087 Hearings on exceptions from director's determinations.

**Summary of Rule:** Clarifies the procedures for hearings before the board on exceptions to director's determinations.

**Reasons Supporting Proposed Action:** None of the current rules specify the procedure the board will follow during an exceptions hearing. This rule outlines the procedure that will be used, clarifies the information the board will consider during the hearing and also clarifies how the information may be presented.

**Description of Purpose:** To allow the board to delegate authority to a designee to hear grievance arbitration cases.

**Specific Statute this Rule is Intended to Implement:** RCW 28B.16.170.

**Statutory Authority:** RCW 28B.16.100 to implement the provisions of that section.

**Title:** WAC 251-14-110 Arbitration—Collective bargaining impasse—Grievance disputes.

**Summary of Rule:** Allows the board to delegate authority to a designee to hear grievance arbitrations. The designee's recommended decision is appealable to the board on exceptions.

**Reasons Supporting Proposed Action:** The board currently must hear all arbitration cases through full evidentiary hearings. This is very time consuming and, coupled with the fact that the board is a part-time, lay board, has caused backlogs to develop. By delegating hearing authority to a designee, the parties would have more timely hearing and decision on the case. If exceptions were filed, the board would have a clear, complete record to review prior to the exceptions hearing and would be able to give its decision in a more timely manner.

**Agency Personnel Responsible for Drafting, Implementation and Enforcement:** John Spitz, Director, Higher Education Personnel Board, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504-3611, 234-3730 scan or 753-3730.

**Person or Organization Proposing Rule, and Whether Public, Private, or Governmental:** Higher Education Personnel Board staff, governmental.

**Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: Not the result of federal law or state or federal court action.**

**AMENDATORY SECTION** (Amending Order 61, filed 8/30/77, effective 10/1/77)

**WAC 251-12-075 APPEALS FROM ALLEGED VIOLATIONS OF HEPB LAW OR RULES** Any employee, employee representative or appointing authority desiring to appeal an alleged violation of the higher education personnel law or rules adopted thereunder, may appeal such alleged violation to the board. Such appeal must be in writing and be filed in the office of the director within thirty calendar days after the effective date of the action appealed. The director shall forward the written notice of appeal to the board which shall determine that one of the following actions be taken:

(1) The case may be handled in the same manner as appeals from demotion, suspension, layoff, reduction or dismissal, as provided in WAC 251-12-080 through 251-12-260; or

(2) The director may investigate the case and based upon that investigation issue a determination. Within thirty calendar days of the date of service either party may file written exceptions with the board detailing the specific items of the determination to which exception is taken. A hearing on the exceptions will be scheduled before the board which may do one or more of the following:

- (a) ((may)) limit argument to the exceptions;
- (b) request clarification of information upon which the director's determination was based;
- (c) remand the case for further investigation;
- (d) ((may)) rehear the case in its entirety; or
- (3) Both parties to the appeal may be requested to submit evidence upon which the board may take action without a hearing.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**NEW SECTION**

**WAC 251-12-087 HEARINGS ON EXCEPTIONS FROM DIRECTOR'S DETERMINATIONS.** (1) In all matters before the board on exception from a director's determination, the parties will base their argument on the director's determination and the information used by the director. Each party will have twenty minutes in which to present argument. New evidence or testimony may not be presented unless, per WAC 251-12-075, the board so requests.

(2) At the hearing on exceptions, each party and one representative of each party may address the board.

(3) When the hearing is confirmed, either party may request permission from the board to have others speak. If permission is granted, the other party will be notified. Argument will be based on the director's determination and the information used by the director.

(4) Either party may submit written argument limited to the director's determination and the information used by the director. All written argument will be filed in the office of the director and transmitted to the other party at least two weeks prior to the scheduled hearing date.

**AMENDATORY SECTION** (Amending Order 162, filed 9/30/87)

**WAC 251-14-110 ARBITRATION—COLLECTIVE BARGAINING IMPASSE—GRIEVANCE DISPUTES.** (1) When the director or designee is unable to resolve the collective bargaining impasse, the institution or the certified exclusive representative may submit such impasse to the board for arbitration. The board will hold a hearing at which the parties may submit evidence and argument in support of their respective positions.

(2) When the director or designee is unable to resolve a grievance dispute, the exclusive representative, employee or employer may submit such dispute to the board for arbitration. Requests for grievance arbitration must be submitted within thirty calendar days or less from the date the director or designee indicates in writing that the mediation is at impasse. The board, or its designee whose decision is appealable by written exception to the board, will hold a hearing at which the

parties may submit evidence and argument in support of their respective positions. Written exceptions must be filed within thirty calendar days of the date of service of the hearing examiner's order.

(3) ((The board shall hold such hearings which may be conducted in the same manner as provided for appeals from layoffs, demotions, suspensions, reductions and dismissals, and the)) The decision of the board shall be final and binding.

**WSR 89-01-069  
PROPOSED RULES  
HIGHER EDUCATION PERSONNEL BOARD**  
[Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning Dismissal—Union shop—Notice—Recision, amending WAC 251-11-100;

that the agency will at 9:00 a.m., Thursday, February 2, 1989, in the Board Room, Bellevue Community College, Bellevue, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 1, 1989.

Dated: December 20, 1988  
By: John A. Spitz  
Director

**STATEMENT OF PURPOSE**

This statement is related to the notice filed with the code reviser on December 20, 1988, and is filed pursuant to RCW 34.04.025.

**Description of Purpose:** Language adopted on August 4, 1988, and effective October 1, 1988, was cancelled due to language adopted on October 5, 1988, and effective December 1, 1988. This correction will provide the correct and intended language.

**Specific Statute this Rule is Intended to Implement:** RCW 28B.16.100.

**Statutory Authority:** RCW 28B.16.100 to implement the provisions of that section.

**Title:** WAC 251-11-100 Dismissal—Union shop—Notice—Recision.

**Summary of Rule:** To provide conditions for dismissing an employee for failure to comply with union shop requirements.

**Reasons Supporting Proposed Action:** Action is housekeeping in nature only. Intended language was adopted on August 4, 1988, and effective on October 1, 1988.

**Agency Personnel Responsible for Drafting, Implementation and Enforcement:** John Spitz, Director, Higher Education Personnel Board, 1202 Black Lake

Boulevard, FT-11, Olympia, WA 98504-3611, 234-3730 scan or 753-3730.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Higher Education Personnel Board staff, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: Not the result of federal law or state court action.

#### AMENDATORY SECTION (Amending Order 174, filed 11/1/88)

**WAC 251-11-100 DISMISSAL—UNION SHOP—NOTICE—RECISSION.** Appointing authorities shall dismiss an employee((;)) who is employed within a bargaining unit that has a certified union shop representative((;)) when notified by the union shop representative of the employee's failure to comply with union shop requirements per WAC 251-14-058. The employee shall be ((furnished with a written notice of the dismissal)) given the opportunity to respond to the representative's notification as provided in WAC 251-11-020 before the notice of dismissal is given. If, thereafter, notice is necessary, it shall be furnished in writing to the employee at least fifteen calendar days prior to the effective date of the action. Prior to the effective date, the dismissal shall be rescinded upon the employee's presenting evidence to the appointing authority of compliance with WAC 251-14-058 or that the union shop representative has not complied with WAC 251-14-020(2) or the representation fee or nonassociation fee requirements of WAC 251-14-058.

#### WSR 89-01-070 PROPOSED RULES

#### HIGHER EDUCATION PERSONNEL BOARD

[Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd	WAC 251-08-110	Salary—Promotion.
New	WAC 251-10-070	Separation due to mental or physical incapacity.
New	WAC 251-10-080	Reasonable accommodation—Reemployment.
New	WAC 251-10-090	Reasonable accommodation—Probationary period.
Amd	WAC 251-17-090	Examination—Eligibility.
Amd	WAC 251-18-180	Eligible lists—Definition—Composition.
Amd	WAC 251-24-030	Training and development programs—Content;

that the agency will at 9:00 a.m., Thursday, February 2, 1989, in the Board Room, Bellevue Community College, Bellevue, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

This notice is connected to and continues the matter in Notice No. WSR 88-21-100 filed with the code reviser's office on October 19, 1988.

Dated: December 20, 1988

By: John A. Spitz  
Director

#### WSR 89-01-071

#### ADOPTED RULES

#### HIGHER EDUCATION PERSONNEL BOARD

[Order 175—Filed December 20, 1988—Eff. February 1, 1989]

Be it resolved by the Higher Education Personnel Board, that it does adopt the annexed rules relating to:

Amd WAC 251-12-260 Restoration of rights.

Amd WAC 251-14-058 Union shop requirements.

This action is taken pursuant to Notice No. WSR 88-22-044 filed with the code reviser on October 31, 1988. These rules shall take effect at a later date, such date being February 1, 1989.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 6, 1988.

By John A. Spitz  
Director

#### AMENDATORY SECTION (Amending Order 108, filed 9/23/83, effective 10/24/83)

#### WAC 251-12-260 RESTORATION OF RIGHTS.

(1) Any employee, when fully reinstated after appeal, shall be guaranteed all employee rights and benefits including back pay, sick leave, vacation leave accrual, retirement and OASDI credits.

(2) In instances of immediate dismissal as provided in WAC ((251-10-140)) 251-11-070 where the institution is unable to justify under appeal the immediacy of the dismissal but the dismissal action itself is upheld, the employee's entitlement to recovery shall not exceed the fifteen calendar day period which would have served as the notice period had the dismissal been processed as provided in WAC ((251-10-120)) 251-11-050. In instances where the board does not uphold the dismissal action but deems a suspension to have been warranted, the employee may be reinstated and a suspension ordered of up to fifteen calendar days.

#### AMENDATORY SECTION (Amending Order 172, filed 8/29/88, effective 10/1/88)

**WAC 251-14-058 UNION SHOP REQUIREMENTS.** (1) When a majority of employees within a bargaining unit determine by election to require as a condition of employment membership in the employee organization designated as the exclusive bargaining representative, all employees included in that bargaining unit are required to pay to such employee organization the regular dues of the organization, or pay a representation fee or a nonassociation fee, within thirty calendar days of the beginning of their employment within the bargaining unit or within thirty calendar days of the date of the union shop representative election, whichever is later.

(2) Membership in the employee organization is satisfied by the payment of monthly or other periodic dues, or representation fees, and does not require payment of initiation, reinstatement, or any other fees or fines, and includes full and complete membership rights.

(3) Employees who wish to exercise the right of non-association with an employee organization based on bona fide religious tenets, or teachings of a church or religious body of which they are a member, must present a request for nonassociation to the personnel office of the concerned institution. The appointing authority or designee and the union shop representative must be in agreement that the requests are based on such bona fide reasons. If agreement cannot be reached within a reasonable time, either party may submit the issues in dispute to the director or designee. Should the request for non-association be denied by the appointing authority or designee, the employee may submit the issue to the director or designee. The decision of the director regarding nonassociation shall be final.

(4) Employees who are granted the nonassociation right must pay a union shop nonassociation fee to the employee organization. Such fee is equivalent to the regular dues of the organization minus any included monthly premiums for union sponsored insurance programs.

(5) When an employee has qualified for nonassociation with an employee organization on religious grounds, the employee may designate which of the programs of the employee organization are in harmony with the employee's conscience and may then designate that the nonassociation fee shall go to such programs.

(6) The employee who qualifies for the nonassociation clause shall not be a member of the employee organization, but is entitled to the same representation rights as a member of the employee organization.

(7) Employees who object to payment for activities of the exclusive representative which are supported by regular dues and which are not related to representation of the employees in the bargaining unit may pay a representation fee in lieu of regular dues. The representation fee is to be calculated by the representative in accordance with applicable constitutional and statutory requirements. See WAC 251-01-367.

(8) A condition of employment for an employee employed in a bargaining unit where an employee organization is the exclusive union shop representative is membership in that employee organization or the regular payment of a union shop representation fee or a nonassociation fee to such organization. Failure of an employee to become a member of the employee organization or make payment of the union shop representation or non-association fee within thirty calendar days following the beginning of employment within the bargaining unit or thirty calendar days after the date of the union shop representative election, whichever is later, constitutes cause for dismissal per the provisions of WAC ((251-10-170)) 251-11-100.

(9) The union shop representative shall inform the appointing authority, in writing, of those employees who have not complied with this section.

(10) The requirement to be a member of an employee organization or the payment of a union shop representation fee or a nonassociation fee as a condition of employment will be nullified when the employee organization which is the union shop representative is decertified per WAC 251-14-050 or 251-14-054.

(11) The appointing authority or designee shall notify affected employees of existing union shop provisions prior to their hire or transfer into a bargaining unit where there is a requirement to be a member of a designated employee organization to pay a union shop representation fee or a nonassociation fee as a condition of employment.

(12) Payroll deductions for employee organization dues or union shop representation or nonassociation fees may be provided by the institution upon written authorization from the employee.

## WSR 89-01-072

### NOTICE OF PUBLIC MEETINGS DEPARTMENT OF LICENSING (Board of Medical Examiners) [Memorandum—December 20, 1988]

#### MEETING SCHEDULE – 1989

January 27, 1989	Friday	Sea-Tac Hilton
January 28, 1989	Saturday	Providence Medical Center
March 24, 1989	Friday	Sea-Tac Hilton
June 2, 1989	Friday	Sea-Tac Hilton
July 28, 1989	Friday	Sea-Tac West Coast Hotel
September 22, 1989	Friday	Sea-Tac Hilton
November 3, 1989	Friday	Sea-Tac Hilton

## WSR 89-01-073

### NOTICE OF PUBLIC MEETINGS DEPARTMENT OF LICENSING (Podiatry Board) [Memorandum—December 20, 1988]

#### MEETING SCHEDULE – 1989

January 13, 1989	Friday	Providence Medical Center South Side – 3 East Large
March 10, 1989	Friday	DOL – Seattle Regional Office
May 12, 1989	Friday	Yakima Red Lion Inn
July 14, 1989	Friday	DOL – Seattle Regional Office
September 8, 1989	Friday	DOL – Seattle Regional Office
November 8, 1989	Wednesday	DOL – Seattle Regional Office

## WSR 89-01-074

### NOTICE OF PUBLIC MEETINGS SHORELINE COMMUNITY COLLEGE [Memorandum—December 19, 1988]

Listed below is the regular meeting schedule of the board of trustees of Shoreline Community College, District Number Seven for 1989.

All regular meetings of the board commence at 8:00 a.m. and are held in the Board Room of the Administration Building on the college campus, 16101 Greenwood Avenue North.

Friday, January 20, 1989  
Friday, February 17, 1989  
Friday, March 17, 1989  
Friday, April 21, 1989  
Friday, May 19, 1989  
Friday, June 16, 1989  
Friday, July 21, 1989  
Friday, August 18, 1989  
Friday, September 15, 1989  
Friday, October 20, 1989  
Friday, November 17, 1989  
Friday, December 15, 1989

**WSR 89-01-075**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**TRADE AND ECONOMIC DEVELOPMENT**  
**(Community Economic Revitalization Board)**  
[Memorandum—December 19, 1988]

Following is the schedule of the 1989 regular meetings of the Community Economic Revitalization Board:

January 21, 1989  
March 18, 1989  
May 18, 1989  
July 20, 1989  
September 21, 1989  
November 16, 1989

The meetings held during the legislative session will be held on Saturdays in Olympia. All other CERB meetings will be held on Thursdays in Seattle.

In accordance with Executive Order 79-03, the meeting site has been selected to be barrier free to the greatest extent feasible. Brailled or taped agenda items for the visually impaired and interpreters for those with hearing impairments will be provided if requested at least ten working days in advance.

Any questions regarding the CERB meetings should be sent to:

CERB Administrator  
Community Economic Revitalization Board  
c/o Department of Trade and Economic Development  
101 General Administration Building  
Olympia, WA 98504, AX-13  
phone (206) 586-1667

**WSR 89-01-076**  
**PROPOSED RULES**  
**DEPARTMENT OF NATURAL RESOURCES**  
[Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Natural Resources intends to adopt, amend, or repeal rules concerning minimum standards for land boundary surveys and geodetic control surveys and guidelines for the preparation of land descriptions;

that the agency will at 1:30 p.m., Saturday, January 28, 1988 [1989], in the Seattle Marriott, Kirland Suite, 4th Floor, 3201 South 176th Street, Seattle (near Sea-Tac Airport), and at 6:00 p.m., Tuesday, February 7, 1988 [1989], in the Best Western Hallmark Inn, Sage Room, 3000 West Marina Drive, Moses Lake, WA, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 17, 1988 [1989].

The authority under which these rules are proposed is chapter 58.24 RCW.

The specific statute these rules are intended to implement is RCW 58.24.040(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 1, 1988 [1989].

Dated: December 16, 1988  
By: John L. Chambers  
Executive Assistant

**STATEMENT OF PURPOSE**

**Purpose and Implementation:** To establish minimum performance levels for land boundary surveys and geodetic control surveys and to provide guidelines for the preparation of land descriptions.

**Adopting Agency:** Department of Natural Resources.

**Statutory Authority:** RCW 58.24.040(1).

**Summary of Rule and Reasons Therefor:** These rules establish minimum performance levels for land subdivision, corner restoration, geodetic control surveys, survey maps, and land boundary surveys. The issues regulated are document content, field work accuracy and documentation of professional decisions. Additionally, guidelines for the preparation of land descriptions are provided. These rules are promulgated "to provide a means for the identification and preservation of survey points for the description of common land boundaries in the interest of the people of the state" (RCW 58.24.010).

**Agency Personnel Responsible for Drafting:** Mike Kinnaman, Survey Manager, Engineering Division, Department of Natural Resources, 1102 South Quince, EV-11, Olympia, WA 98504, (206) 586-6047 and Donnell R. Fitch, Unit Manager, Public Land Survey Unit, Engineering Division, Department of Natural Resources, 1102 South Quince, EV-11, Olympia, WA 98504, (206) 586-6034; **Implementation:** Department of Natural Resources, John A. Cherberg Building, Olympia, Washington 98504; and **Enforcement:** Board of Registration for Engineers and Land Surveyors, P.O. Box 9649, Olympia, Washington 98504.

**Proponents or Opponents:** Proponents: Surveys and Maps Advisory Board; some chapters within the Land Surveyors Association of Washington; Chair, County Auditor's Recording Committee; Title Association – offered no objections; County Auditors Association – no objections; and Board of Registration of Engineers and Land Surveyors. Opponents: Some chapters within the Land Surveyors Association of Washington.

**Agency Comments:** The Board of Registration for Engineers and Land Surveyors has stated there is a need for minimum performance standards. Such standards allow them to more equitably regulate the surveying profession.

**Economic Impact Statement:** There are several provisions within these rules that may cause some surveyors or auditors to change their current practices. Some of these changes may result in increased costs. Since these costs are not consistent throughout the industry, it is not possible to calculate their impact. However, the above identified proponents feel any cost increases will be insignificant and offset by an improved service to the public by the surveying profession.

#### Chapter 332-130 WAC

#### ((SURVEY STANDARDS)) MINIMUM STANDARDS FOR LAND BOUNDARY SURVEYS AND GEODETIC CONTROL SURVEYS AND GUIDELINES FOR THE PREPARATION OF LAND DESCRIPTIONS

##### WAC

- 332-130-010 Authority.
- 332-130-020 Definitions.
- 332-130-030 Land subdivision and corner restoration standards—Recording.
- 332-130-040 Land description ((requirements—General)) guidelines.
- 332-130-050 ((Land description requirements—Specific items)) Survey map requirements.
- 332-130-060 ((Survey map requirements)) Geodetic control survey standards.
- 332-130-070 ((Field traverse standards for land surveys)) Survey standards—Transition period.
- 332-130-080 ((Geodetic control survey standards)) Relative accuracy—Principles.
- 332-130-090 Field traverse standards for land boundary surveys.
- 332-130-100 Equipment and procedures.

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

**WAC 332-130-010 AUTHORITY.** The department of natural resources, in accordance with ((the authority defined in paragraph 1;)) RCW 58.24.040((, does herewith)) and 58.17.160, prescribes the following regulations setting minimum standards for land boundary surveys and geodetic control surveys and providing guidelines for the preparation of land descriptions.

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

**WAC 332-130-020 DEFINITIONS.** ((As used for these rules;)) The following definitions shall apply to this chapter:

(1) ((Land boundary surveys: All surveys whether made by private persons or entities or public bodies of whatsoever nature for the specific purpose of establishing or reestablishing the boundary of any lot, tract or parcel of real property in the state of Washington;

(2))) Geodetic control surveys: Surveys for the specific purpose of establishing control points for extending the ((Lambert grid net and)) National Geodetic Survey horizontal and vertical control nets, establishing plane coordinate values on ((primary cadastral)) boundary monuments within the requirements of the Washington coordinate system, ((as defined in chapter 58.20 RCW;)) and determining the vertical elevations of boundary monuments.

((3))) (2) GLO and BLM: The General Land Office and its successor, the Bureau of Land Management.

(3) Land boundary surveys: All surveys, whether made by individuals, entities or public bodies of whatever nature, for the specific purpose of establishing, reestablishing, laying out, subdividing, defining, locating and/or monumenting the boundary of any easement, right of way, lot, tract, or parcel of real property or which reestablishes or restores General Land Office or Bureau of Land Management survey corners.

(4) Land corner record: The record of corner information form as prescribed by the department of natural resources pursuant to chapter 58.09 RCW.

(5) Land description: A description of real property or of rights associated with real property.

(6) Land surveyor: ((Shall mean every)) Any person authorized to practice the profession of land surveying under the provisions of chapter 18.43 RCW((, as now or hereafter amended;)).

((4)) Land survey: Shall mean the locating and monumenting, in accordance with sound principles of land surveying by or under the supervision of a licensed land surveyor, of points or lines which define the exterior boundary or boundaries common to two or more parcels or which reestablish or restore general land office or bureau of land management survey corners;

((5)) (7) Parcel: A part or portion of real property including but not limited to GLO segregations, easements, rights of way, aliquot parts of sections or tracts.

(8) Survey Recording Act: The law as established and designated in chapter 58.09 RCW.

(9) Washington coordinate system: ((Shall mean that)) The system of plane coordinates as established and designated by chapter 58.20 RCW((,));

(6) Public record: Shall be the system of records maintained by the bureau of surveys and maps, the county auditors and such other agencies as may be officially designated and by law assigned the responsibility of maintaining a record of such information available to the general public during normal working hours;

(7) The Survey Recording Act: Shall mean chapter 50, Laws of 1973, (chapter 58.09 RCW) as now or hereafter amended;

(8) GLO and BLM: Means the general land office and its successor, the bureau of land management)).

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

**WAC 332-130-030 LAND SUBDIVISION AND CORNER RESTORATION STANDARDS—RECORDING.** The following ((minimum standards shall apply to land subdivision)) requirements apply when a land boundary survey is performed:

(1) ((The subdivision of a section shall conform to the rules prescribed for official U.S. government surveys of the public lands and instructions relating thereto, and/or applicable federal or state court decisions relating thereto;

(2) Section subdivision and line data shall be shown on the record of survey to the extent necessary to support the position of any subdivisional corner used to reference a surveyed parcel and to justify the location of the parcel boundary therein, except where a section subdivision is a matter of public record, then reference may be made to that record and only so much of the section subdivision as is necessary to properly orient the surveyed parcel need be shown;

(3) Every general land office or bureau of land management survey mark or corner controlling a surveyed parcel shall be documented and recorded as required by the Survey Recording Act, unless the corner and its accessories are substantially as described in an existing record conforming to the provisions of this section on file with the county auditor and the bureau of surveys and maps. The documentation of any GLO or BLM corner shall include at least three substantial references to the corner mark placed in such a manner that they are not likely to be destroyed along with the corner. A valid set of coordinates on the Washington coordinate system may serve as one of the three required references;)) The reestablishment of lost GLO or BLM corners and the subdividing of sections shall be done according to applicable GLO or BLM plats and field notes and in compliance with the rules as set forth in the appropriate GLO or BLM Manual of Surveying Instructions, manual supplements and circulars. Federal or state court decisions that influence the interpretation of the rules should be considered. Methods and data used for such corner reestablishment or section subdivision shall be stated on filed or recorded documents.

(2) All maps, plats, or plans showing a land boundary survey shall show all the corners found, established, reestablished and calculated, including corresponding directions and distances, which were used to survey and which will be necessary to resurvey the parcel shown.

Where a portion or all of this information is already shown on a record filed in the county recording office of the county in which the parcel is located, reference may be made to that record in lieu of providing the required data.

(3) Documentation shall be provided for all GLO or BLM corner(s) or point(s) used to control the location of the parcel surveyed. This requirement shall be met by providing on the document produced:

(a) The information required by both the Survey Recording Act and the history and evidence found sections of the Land Corner Record form; or

(b) The recording data of a document(s) that provides the required information and is filed in the county recording office of the county in which the parcel is located.

(4) Every corner originally monumented by the GLO or BLM that is physically reestablished shall be monumented in accordance with the Survey Recording Act. If the reestablished corner is not filed as part of a record of survey, plat or short plat, at least three references shall be established and filed on a Land Corner Record form. If the reestablished corner is filed as part of a record of survey, plat or short plat, then ties to at least two other monuments shown on the record document may serve in lieu of the required references. A valid set of coordinates on the Washington coordinate system may serve as one of the references. However, to best ensure an accurate relocation, references in close proximity to the corner are recommended. Monuments placed shall be magnetically locatable and include a cap stamped with the appropriate corner designation as defined in the current BLM Manual of Surveying Instructions.

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

WAC 332-130-040 LAND DESCRIPTION ((REQUIREMENTS—GENERAL)) GUIDELINES. ((Any legal land description written defining land boundaries shall be complete and accurate from the title standpoint, providing definite and unequivocal identification of the lines or boundaries from which a physical survey can be accomplished.)) An instrument used for the conveyance of real property should contain a description of the property sufficiently definite to allow location by a land surveyor without recourse to oral testimony.

The following guidelines consist of elements which are recommended for use in the preparation of land descriptions. They are not intended to be all inclusive and may not be applicable in all situations:

(1) In a description of a lot, tract, parcel or portion thereof in a recorded plat, short plat, or record of survey:

(a) Lot and block number or designation and addition or subdivision name;

(b) Official recording data and identification of recording office;

(c) Location by section, township, and range with respect to the Willamette Meridian, (if applicable);

(d) Property location by county and state.

(2) In a description of an easement, lot, tract, or parcel described by metes and bounds:

(a) Parcel location by the subdivision(s) of the section; or portion of any other official subdivisional tract from a GLO or BLM public land survey; or portion of a recorded plat, short plat, or record of survey;

(b) Section, township, and range with respect to the Willamette Meridian;

(c) Property location by county and state;

(d) Direction and distance to GLO or BLM corners or properly determined section subdivision corners with description of the physical corners, if applicable;

(e) A description of the boundary giving:

(i) Place of beginning and/or initial point;

(ii) Basis of bearings or azimuths;

(iii) Bearings, angles or azimuths in degrees, minutes and seconds;

(iv) Distances in feet and decimals of feet or record units, where applicable;

(v) Curve data showing the controlling elements;

(vi) Identification of senior adjoiners giving recording office and filing reference;

(vii) Calls to existing controlling monuments, both artificial and natural;

(viii) Calls which indicate if a course is a section line, subdivisional line, a line of record or parallel therewith;

(ix) A bearing and distance for each boundary line of the described parcel with a closing course returning to the point of beginning, except where the boundary can be described by a record, physical or natural feature.

(3) In a description based on a public land survey subdivision:

- (a) Special segregations such as donation land claims, homestead entry surveys, townsites, tracts, and Indian or military reservations;
- (b) Government lot number(s);
- (c) Aliquot part designation;
- (d) Section, township, and range with respect to the Willamette Meridian;

(e) Property location by county and state.

- (4) Other elements of consideration for any land description:
- (a) Avoid ambiguities when exceptions to a parcel are stated;
- (b) Indicate width of strip description and its relationship to described centerline or survey line;
- (c) Delineate the dividing line when designating a fractional portion of a parcel;

(d) When designating one-half or other fractional portion of an aliquot part by government subdivision procedures, follow with "according to U.S. Government subdivision procedures."

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

WAC 332-130-050 ((LAND DESCRIPTION REQUIREMENTS—SPECIFIC ITEMS)) SURVEY MAP REQUIREMENTS. ((The following items must be considered and included in a land description when applicable:

- (1) Lot, tract or portion thereof in a recorded plat;
- (a) Lot and block number or designation;
- (b) Addition or subdivision name and number and its location by section, township, range and meridian;
- (c) Plat book and page number of recorded plat;
- (d) Recording office, city or county and state;
- (2) Lot or tract described by metes and bounds:
- (a) City and/or county and state;
- (b) Subdivision(s) of section, township, range, meridian or other official GLO or BLM survey subdivision, or portion of recorded plat;
- (c) Measurement to official GLO or BLM survey subdivision corner or properly determined subdivision corner thereof with physical description of such corners;
- (d) A traverse of the boundary giving;
- (f) Place of beginning and/or initial point including description of the physical monument;
- (ii) Bearings or azimuths in degrees, minutes and seconds;
- (iii) Distances in feet to the nearest one-hundredth;
- (iv) Identification of adjoiners giving official recording office and recovery index when other deed calls are uncertain;
- (v) Indicate if course is a dividing line of a section subdivision, a line of record or parallel thereof;

(vi) Indicate area to the nearest one-hundredth acre.)) The following requirements apply to land boundary survey maps, records of surveys, plats, short plats, plans, boundary line adjustments, and binding site plans required by law to be filed with the county.

(1) All such documents filed shall conform to the following:

(a) They shall display a recording clerk's information block which shall be located along the bottom or right edge of the document unless there is a local requirement specifying this information in a different format. The recording clerk's information block shall contain:

(i) The title block, which shall be on all sheets of maps, plats or plans, and shall identify the business name of the firm and/or land surveyor that performed the survey. For documents not requiring a surveyor's certificate and seal, the title block shall show the name and business address of the preparer and the date prepared. Every sheet of multiple sheets shall have a sheet identification number, such as "sheet 1 of 5".

(ii) The auditor's certificate, where applicable, which shall be on the first sheet of multiple sheets; however, the recording clerk shall enter the appropriate volume and page and/or the auditor's file number on each sheet of multiple sheets;

(iii) The surveyor's certificate, where applicable, which shall be on the first sheet of multiple sheets and shall show the name, license number, signature and seal of the land surveyor who had responsible charge of the survey portrayed, and the date the land surveyor approved the map or plat. Every sheet of multiple sheets shall have the seal and signature of the land surveyor and the date signed;

(iv) The following indexing information on the first sheet of multiple sheets:

(A) The section—township—range and quarter—quarter(s) of the section in which the surveyed parcel lies, except that if the parcel lies in a portion of the section officially identified by terminology other than aliquot parts, such as government lot, donation land claim, homestead entry survey, townsites, tract, and Indian or military reservation, then

also identify that official subdivisional tract and call out the corresponding approximate quarter-quarter(s) based on projections of the aliquot parts. Where the section is incapable of being described by projected aliquot parts, such as the Port Angeles townsite, or elongated sections with excess tiers of government lots, then it is acceptable to provide only the official GLO designation. A graphic representation of the section divided into quarter-quarters may be used with the quarter-quarter(s) in which the surveyed parcel lies clearly marked;

(B) Additionally, if appropriate, the lot(s) and block(s) and the name and/or number of the recorded subdivision plat with the related recording data;

(b) They shall contain:

(i) A north arrow;

(ii) The vertical datum when topography or elevations are shown;

(iii) The basis for bearings, angle relationships or azimuths shown. The description of the directional reference system, along with the method and location of obtaining it, shall be clearly given (such as "North by Polaris observation at the SE corner of section 6"; "Grid north from azimuth mark at station Kellogg"; "North by compass using twenty-one degrees variation"; "None"; or "Assumed bearing based on . . ."). If the basis of direction differs from record title, that difference should be noted;

(iv) Bearings, angles, or azimuths in degrees, minutes and seconds;

(v) Distances in feet and decimals of feet;

(vi) Curve data showing the controlling elements.

(c) They shall show the scale for all portions of the map, plat, or plan provided that detail not drawn to scale shall be so identified. A graphic scale for the main body of the drawing, shown in feet, shall be included. The scale of the main body of the drawing and any enlargement detail shall be large enough to clearly portray all of the drafting detail, both on the original and reproductions;

(d) The document filed and all copies required to be submitted with the filed document shall, for legibility purposes:

(i) Have a uniform contrast suitable for microfilming;

(ii) Be without any form of cross-hatching, shading, or any other highlighting technique that to any degree diminishes the legibility of the drafting detail or text;

(iii) Contain dimensioning and lettering no smaller than 0.08 inches, vertically. This provision does not apply to vicinity maps, land surveyors' seals and certificates.

(e) They shall not have any adhesive material affixed to the surface;

(f) For the intelligent interpretation of the various items shown, including the location of points, lines and areas, they shall:

(i) Reference record survey documents that identify different corner positions;

(ii) Show deed calls that are at variance with the measured distances and directions of the surveyed parcel;

(iii) Identify all corners used to control the survey as to whether they were calculated from a previous survey of record or found, established, or reestablished;

(iv) Give the physical description of any monuments shown, found, established or reestablished, including type, size, and date visited;

(v) Show the record land description of the parcel or boundary surveyed or a reference to an instrument of record;

(vi) Identify any ambiguities, hiatuses, and/or overlapping boundaries;

(vii) Give the location and identification of any visible physical appurtenances such as fences or structures which may indicate encroachment, lines of possession, or conflict of title.

(2) All signatures and writing shall be made with permanent black ink.

(3) The following criteria shall be adhered to when altering, amending, changing, or correcting previously filed maps, plats, or plans:

(a) Such documents filed shall comply with the applicable requirements of the recording statute under which the original map, plat, or plan was filed;

(b) Alterations, amendments, changes, or corrections to a previously filed map, plat, or plan shall only be made by filing a new document;

(c) All such documents filed shall contain the following information:

(i) A title or heading identifying the document as an alteration, amendment, change, or correction to a previously filed map, plat, or plan along with, when applicable, a cross-reference to the volume and page and auditor's file number of the altered document;

(ii) Indexing data as required by subsection (1)(a)(iv) of this section;

(iii) A prominent note itemizing the change(s) to the original document. Each item shall explicitly state what the change is and where the change is located on the original;

(d) The recording office shall file, index, and cross-reference all such documents in a manner sufficient to provide adequate notice of the existence of the new document to anyone researching the county records for survey information;

(e) The county recorder shall send to the engineering division of the department of natural resources a legible copy of any document filed or recorded which alters, amends, changes, or corrects any document that has been previously filed or recorded pursuant to the Survey Recording Act.

(4) In the absence of permanency and durability standards for public records, eventually to be established by rule by the Washington state division of archives and records management, the following standards will apply to maps, plats, or plans filed with the county. Upon adoption of rules established by the division of archives and records management, those rules shall prevail over this section.

(a) The following are deemed to be acceptable material for filing:

(i) Permanent black ink on linen;

(ii) Photo mylar with a fixed silver halide base;

(iii) Permanent black ink on mylar when the ink is coated with a suitable substance to assure permanent legibility;

(b) The following are deemed to be unacceptable material for filing:

(i) Diazo mylar;

(ii) Linen with an image produced by a dry electrostatic process;

(iii) Mylars with an image produced by a dry electrostatic process.

(5) The county auditor shall be responsible for implementing subsections (1)(a)(ii), (3)(d) and (e) of this section, and the surveyor shall be responsible for implementing the remaining items.

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

**WAC 332-130-060 ((SURVEY MAP REQUIREMENTS)) GEODETIC CONTROL SURVEY STANDARDS.** ((The record of survey shall be a map properly drawn to a convenient scale such as to satisfy the requirements of the Survey Recording Act and/or chapter 58.17 RCW relating to platting, subdivision and dedication of land:

(1) Boundary survey maps shall include the following where applicable:

(a) Title of survey;

(b) Land surveyor certification by showing name, license number, signature and seal;

(c) Date;

(d) North arrow and bearing reference;

(e) Deed calls and reference to control monuments;

(f) Indicate monuments found and set;

(g) Bearings, azimuths or angles in degrees and minutes and seconds and distances to the nearest one-hundredth of a foot;

(h) Legal description of property;

(i) Indicate hiatuses (gaps) and/or overlapping boundaries;

(j) Physical appurtenances (fences, structures, etc.) which may indicate encroachment, lines of possession or conflict of title;

(k) Indexing data block, showing:

(l) Section, township and range and, additionally, the quarter(s) of a section in which the surveyed parcel lies;

(m) Other official subdivisional tract of the GLO or BLM survey;

(n) In a recorded subdivision, show lot, block, name and number of subdivision with volume and page of recorded plat;

(2) A copy of the survey map shall be furnished the client.)) The following standards shall apply to geodetic control surveys:

Horizontal and vertical control work must meet or exceed those accuracy and specification standards as published by the Federal Geodetic Control Committee, September 1984, in the bulletin titled, "Standards and Specifications for Geodetic Control Networks" or any subsequently published bulletins modifying such class standards. The class of control surveys shall be shown on documents prepared.

#### AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

**WAC 332-130-070 ((FIELD TRAVERSE STANDARDS FOR LAND SURVEYS)) SURVEY STANDARDS—TRANSITION PERIOD.** ((The following standards shall apply to field traverses used in land boundary surveys. Such standards should be considered minimum standards only. Higher levels of precision are expected to be utilized in areas with higher property values or in other situations necessitating higher accuracy:

(1) Linear closures after Azimuth adjustment:

(a) City - central and local business and industrial areas	1:10,000
(b) City - residential and subdivision lots	1:5,000
(c) Section subdivision, new subdivision boundaries for residential lots and interior monument control	1:5,000
(d) Suburban - residential and subdivision lots	1:5,000
(e) Rural - forest land and cultivated areas	1:5,000
(f) Lambert grid traverses	1:10,000

## (2) Angular closure:

(a) Where 1:10,000 minimum linear closure is required, the maximum angular error in seconds shall be determined by the formula of  $10\sqrt{n}$ , where "n" equals the number of angles in the closed traverse or three seconds per angle whichever is the least.

(b) Where 1:5,000 minimum linear closure is required, the maximum angular error in seconds shall be determined by the formula of  $30\sqrt{n}$  where "n" equals the number of angles in the closed traverse or eight seconds per angle whichever is the least.) Until January 1, 1991, the accuracy or precision of field work may be determined and reported by either relative accuracy procedures or the current field traverse standards, provided that the final result shall meet or exceed the current standards contained in WAC 332-130-090. On or after January 1, 1991, relative accuracy standards shall be the sole applicable standard.

AMENDATORY SECTION (Amending Order 275, filed 5/2/77)

WAC 332-130-080 ((GEOGRAPHIC CONTROL SURVEY STANDARDS)) RELATIVE ACCURACY-PRINCIPLES. ((The following standards shall apply to geodetic control surveys:

## (1) Horizontal control:

(a) At least second-order Class II accuracy and specifications as published by the Department of Commerce, February, 1974 in Bulletin titled, "Classification, Standards of Accuracy, and General Specifications of Geodetic Control Surveys".

(b) Cadastral monuments, as defined in chapter 58.20 RCW.

## (2) Vertical control:

At least second-order Class II accuracy and specifications as published by the Department of Commerce, February, 1974 in Bulletin titled, "Classification, Standards of Accuracy, and General Specifications of Geodetic Control Surveys.") On or before January 1, 1990, specific relative accuracy standards will be adopted by the department of natural resources to take effect on January 1, 1991. The following principles of relative accuracy are provided in the interim to guide those who may be analyzing their work by these procedures.

(1) Relative accuracy means the theoretical uncertainty in the location of any point or corner relative to other points or corners set, found, reestablished, or established. A standard of relative accuracy can be achieved by using appropriate equipment and implementing field and office procedures that will result in a ninety-five percent probability of achieving the accuracy required.

(2) Relative accuracy is not related to uncertainties due to differences between measured values and record values or uncertainties in the geographic position.

(3) In the application of a relative accuracy standard, the surveyor must consider the established land use patterns, land values of and in the vicinity of the surveyed parcel, and the client's intended use of the property. Higher levels of precision are expected to be used in situations necessitating higher accuracy.

(4) Each land boundary survey should contain a statement identifying the method of mathematical analysis used in achieving a stated relative accuracy.

NEW SECTION

WAC 332-130-090 FIELD TRAVERSE STANDARDS FOR LAND BOUNDARY SURVEYS. The following standards shall apply to field traverses used in land boundary surveys. Such standards should be considered minimum standards only. Higher levels of precision are expected to be utilized in areas with higher property values or in other situations necessitating higher accuracy.

## (1) Linear closures after azimuth adjustment.

(a) City - central and local business and industrial areas	1:10,000
(b) City - residential and subdivision lots	1:5,000
(c) Section subdivision, new subdivision boundaries for residential lots and interior monument control	1:5,000
(d) Suburban - residential and subdivision lots	1:5,000
(e) Rural - forest land and cultivated areas	1:5,000
(f) Lambert grid traverses	1:10,000

## (2) Angular closure.

(a) Where 1:10,000 minimum linear closure is required, the maximum angular error in seconds shall be determined by the formula of  $10\sqrt{n}$ , where "n" equals the number of angles in the closed traverse or three seconds per angle whichever is the least.

(b) Where 1:5,000 minimum linear closure is required, the maximum angular error in seconds shall be determined by the formula of  $30\sqrt{n}$  where "n" equals the number of angles in the closed traverse or eight seconds per angle, whichever is the least.

NEW SECTION

WAC 332-130-100 EQUIPMENT AND PROCEDURES. (1) All land boundary surveys filed shall contain a statement identifying the type of equipment used, such as 10-second theodolite and calibrated chain, or 10-second theodolite and electronic distance measuring unit, and procedures used, such as field traverse, photogrammetric survey, global positioning system survey or a combination thereof to accomplish the survey shown;

(2) All measuring instruments and equipment shall be maintained in adjustment according to manufacturer's specifications and all distance measuring instruments shall be, at a minimum, compared and adjusted annually to a National Geodetic Survey calibrated baseline.

WSR 89-01-077

EXECUTIVE ORDER

OFFICE OF THE GOVERNOR

[EO 88-09]

## ESTABLISHING THE WASHINGTON ENVIRONMENT 2010 ADVISORY COMMITTEE

Washington's quality of life is determined in large measure by the quality of its environment and natural resources. Because of the increasing pressure of population growth and associated development, the current declines in environmental quality and the increasing loss of habitat will continue unless positive actions are taken in the near future. Such actions must be based on comprehensive data and grounded in close cooperation among diverse interest groups. Such cooperation must be characterized by openness, frankness and mutual support. That cooperation can best be achieved by establishing a formal entity that encourages discussion, study and resolution of ecological matters of concern to all citizens within the State of Washington.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, do hereby order that:

1. The Washington Environment 2010 Advisory Committee is hereby established.
2. The Governor will be the chair of the Committee. In the Governor's absence, the Director of the Department of Ecology will serve as Chair.
3. Members of the Committee shall represent governments and their diverse interest groups, shall come from all regions of the state, and shall include individuals from the following communities:

tribal government	local government
agriculture	timber
recreation	big business
small business	environmental interests
fisheries	wildlife
public health	academia

4. The Committee shall be a forum for considering current and emerging issues in environmental and natural resource management. In cooperation with a steering committee of state agency directors, the 2010 Advisory Committee will develop an action plan that will aid both the public and private sector in setting priorities in pollution prevention, development, and natural resource management.
5. The Committee shall review and assist in the development of Washington's first "State of the Environment" report, propose specific strategies to address major issues, and be actively involved in developing a public involvement plan.
6. The Committee shall meet regularly through December 1989.
7. Support for the 2010 Project will be provided by the Department of Ecology and Region 10 of the EPA. Data and additional support will be provided by a state interagency technical committee and other sources.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 15th day of December, A.D., Nineteen Hundred and Eighty-Eight.

Booth Gardner

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Governor of Washington

**BY THE GOVERNOR:**

Ralph Munro

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Secretary of State

**WSR 89-01-078  
PROPOSED RULES  
BOARD OF REGISTRATION  
FOR PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS**  
[Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Registration for Professional Engineers and Land Surveyors intends to adopt, amend, or repeal rules concerning the amending of WAC 196-16-007, 196-16-020, 196-16-031, 196-24-080 and 196-24-085;

that the agency will at 10:00 a.m., Friday, January 27, 1989, in the Seattle Marriott, City Suite, 3201 South 176th Street, Seattle, WA 98188, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.43.035.

The specific statute these rules are intended to implement is RCW 18.43.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 26, 1989.

Dated: December 15, 1988  
By: Alan E. Rathbun  
Registrar

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Board of Registration for Professional Engineers and Land Surveyors.

Purpose: To amend the application requirement for land surveyors; amend the description of the land surveyor examination; amend the qualifications for reciprocal licensure in land surveying; amend the fee requirements relative to examination retakes; and amend the information required to obtain a temporary permit.

Statutory Authority: RCW 18.43.035.

Summary of the Proposed Rules: WAC 196-16-007 is amended to remove the requirement for submitting a new application after five years in the examination process; WAC 196-16-020 is amended to add the general subject matter to be tested in the land surveyor examination; WAC 196-16-031 is amended to clarify the requirements for reciprocal licensure as a land surveyor; WAC 196-24-080 is amended to clarify the status of required examination fees for all applicants; and WAC 196-24-085 is amended relative to information to be provided by persons seeking a temporary permit to practice engineering in Washington. The amended language also specifies rules of practice in Washington which conforms to chapter 18.43 RCW.

Reasons Proposed: To enhance the ability of the Washington State Board of Registration for Professional Engineers and Land Surveyors to serve the public.

Responsible Personnel: In addition to the board and its registrar, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Jerry C. Olson, P.E., P.L.S., Chairman; Wesley Taft, P.E., Vice Chairman; Alfred E. Byrne, P.E.; Charles Salina, P.E.; Robert D. Cray, P.L.S.; Wilho Williams, P.E.; Roy A. Avent, P.E.; and Registrar Alan E. Rathbun, P.E. Board address and telephone: Washington State Board of Registration for Professional Engineers and Land Surveyors, Quince Street Building, P.O. Box 9649, Olympia, Washington 98504, (206) 753-3634.

Proponents of the Proposed Rule: The Washington State Board of Registration for Professional Engineers and Land Surveyors.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or of federal or state court action.

Small Business Impact Statement: Not required for this statement.

**AMENDATORY SECTION** (Amending Order PM 738, filed 5/27/88)

WAC 196-16-007 APPLICATIONS. All applications must be filed with the registrar at the board's official address. The deadline for

receipt of a properly completed application accompanied by the required application fee is four months prior to the date of the examination. Response from applicant's references must be in hand three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Late responses from references will also cause the application to be held for consideration for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the examination which they intend to take. A new application is not required where an applicant has taken the previous examination and failed or has filed and failed to appear for the previous examination. ((However, a new complete application is required every five years after approval by the board until registration in Washington state is obtained.))

#### AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

**WAC 196-16-020 EXAMINATIONS.** The examinations are given in two parts: (1) Fundamentals and (2) principles and practice, each of one day's duration. The fundamentals ((and principles and practice consist of two sessions, one in the morning and one in the afternoon. All examinations will be open book unless otherwise specified by the board)) of land surveying examination shall test knowledge areas including, but not limited to, the following: Mathematics, measurement techniques, field techniques, computation techniques, and record sources. The principles and practice examination shall test knowledge areas including, but not limited to, the following: Washington state law and judicial decisions, public land system, property descriptions, surveying principles procedures and standards, geometrics, error analysis together with ethics and professional conduct. Copies of the examination matrices are available from the board office upon request.

A candidate may elect to sit for the examination in two consecutive days or may sit for one part of one examination and the other part at a subsequent examination.

A candidate failing either the fundamentals or principles and practice and passing the other has only to repeat the part failed.

#### AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

**WAC 196-16-031 RECIPROCITY.** Applicants for registration as a land surveyor by reciprocity((, who have been qualified by a written sixteen-hour examination, in a state that gives like consideration to Washington registrants, and are in good standing with the examining state, will be exempt from the Washington state sixteen-hour written examination.)) will be exempt from the full sixteen-hour written examination administered by this board provided:

- (1) That the applicant's qualifications meet the requirements of chapter 18.43 RCW and the rules established by the board;
- (2) That the applicant has been qualified by a written sixteen-hour examination determined by the board to be equivalent to the exam administered in Washington;
- (3) That the applicant has a currently valid license in the state of original licensure; and
- (4) That the applicant's state of original licensure gives like consideration to Washington registrants.

All candidates will be required to pass a written examination as prescribed by the board. The examination shall test knowledge areas as described in WAC 196-16-020.

#### AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

**WAC 196-24-080 FEES.** All checks or money orders shall be made payable to the state treasurer. Registration: The application must be accompanied with the required fee; with engineers submitting the certificate fee after passage of the exam. Should the board deny the application, the initial fee will be retained as an application fee. An applicant who fails the first scheduled exam may be reexamined once without payment of an additional fee, provided he notifies the board office in writing of his intention to appear for the examination a second time at least three months prior to said examination. Each subsequent examination will be granted upon payment of an examination fee received at least three months prior to said examination. Applicants who

fail to appear for ((scheduled examinations will forfeit their reexamination privilege or examination fee)) an examination, for which they are scheduled, will forfeit their examination fee and/or their privilege to be reexamined without an additional fee. Applicants may withdraw from a scheduled examination without penalty by submitting a written notice to the board office no later than six weeks prior to the date of examination.

#### AMENDATORY SECTION (Amending Order PM 606, filed 6/4/87)

**WAC 196-24-085 TEMPORARY PERMITS—INFORMATION REQUIRED OF NONRESIDENTS INTENDING TO PRACTICE THIRTY DAYS OR LESS IN A CALENDAR YEAR.** Every nonresident engineer who intends to conduct professional practice under the exemption of subsection (2) of RCW 18.43.130, shall furnish the board, a minimum of three months prior to the commencement of such work with the following information:

- (1) ((Name and place of his residence.)) A properly completed application as prescribed by the board.
- (2) Jurisdiction where currently registered.
- (3) Imprint of professional seal.
- (4) Dates work is to be started and terminated in the state of Washington. If the time differential between the starting and terminating date is in excess of thirty days in any calendar year, applicant must specify the days (totalling no more than thirty) on which the practice of engineering is to be performed in Washington.
- (5) Name and address of client.
- (6) ((Type, location of job)) Description and location (address) of project and regulating authority (if applicable).
- (7) Application fee as determined by the director of the department of licensing.

Upon approval of the information submitted, the board shall issue a permit to the nonresident engineer for the temporary practice of engineering in Washington.

Plans, specifications, and reports prepared by the nonresident engineer shall be signed, dated, and stamped with their professional seal. A copy of the permit issued by this board shall be attached to the engineering documents submitted for approval or building permit.

The exemption contained in RCW 18.43.130(2) shall only apply to individuals. Corporations and partnerships shall not practice in Washington unless authorized to do so under RCW 18.43.130 (8) and (9).

Nonresident land surveyors will not be allowed to practice in Washington unless licensed under the provisions of chapter 18.43 RCW.

## WSR 89-01-079 PROPOSED RULES DEPARTMENT OF LICENSING (Board of Dental Examiners)

[Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Dental Examiners intends to adopt, amend, or repeal rules concerning examination content, amending WAC 308-40-102;

that the agency will at 9:00 a.m., Friday, January 27, 1989, in the West Coast Sea-Tac Hotel, Cascade Room, 18220 Pacific Highway South, Seattle, WA 98188, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.32.040(4), 18.32.120 and 18.32.640.

The specific statute these rules are intended to implement is RCW 18.32.040(4) and 18.32.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1989.

Dated: December 14, 1988  
By: Amanda L. Tomlinson  
Assistant Attorney General

### STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Dental Examiners.

Title: WAC 308-40-102 Examination content.

Description of Purpose: To amend the contents of the practical examination by deleting the reference to the restorative examination.

Statutory Authority: RCW 18.32.040(4).

Summary of Rule: WAC 308-40-102 is amended to delete the reference to the restorative examination.

Responsible Personnel: The Washington State Board of Dental Examiners and the executive secretary for the board have the responsibility for drafting, implementing and enforcing this rule. The executive secretary is Judy Mayo, 1300 Quince Street S.E., Olympia, WA 98504, phone (206) 753-2461 comm, 234-2461 scan.

Proponents: The Washington State Board of Dental Examiners.

Federal Law or Federal or State Court Requirements: Not necessitated as a result of federal or state court action.

Small Business Economic Impact Statement: Not required and not provided in that these rules do not impact small businesses as that term is defined in RCW 19.85.020.

### AMENDATORY SECTION (Amending Order PM 740, filed 6/22/88)

WAC 308-40-102 EXAMINATION CONTENT. (1) The examination will consist of:

(a) Theory: National board only accepted, except as provided in ((+)) (c) of this subsection.

(b) Practical/practice:

((+) Restorative examination. The restorative examination shall consist of an amalgam restoration phase, a cast gold restoration phase, and a condensed gold restoration phase. Proper radiographs are required for each cavity selection.

Amalgam Class II

Cast gold restoration - Three or more surfaces.

Condensed gold - Class II, III or V) The content of the practical/practice section shall consist of procedures or subject matters as determined by the board.

(c) The board may, at its discretion, give an examination in any other subject under (a) or (b) of this subsection, whether in written and/or practical form. The applicant will receive information concerning such examination.

(2) Each applicant must furnish his or her own patient for all phases, as may be required, of the practical/practice examination. Patients must be at least eighteen years of age, and shall not be a dentist, dental student, dental hygienist or dental hygiene student. The state board of dental examiners and the school of dentistry assume no responsibility regarding work done on patients. Candidates will be required to furnish documentary evidence of malpractice and liability insurance prior to the first day of the examination.

(3) An assistant will be permitted to assist the applicant at the chair. Dentists or undergraduate dental students, hygienists, undergraduate hygienists are not acceptable as assistants. Assistants must complete a form of eligibility.

### WSR 89-01-080 PROPOSED RULES DEPARTMENT OF LICENSING (Board of Medical Examiners) [Filed December 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Medical Examiners intends to adopt, amend, or repeal rules concerning AIDS prevention and information education requirements, WAC 308-52-620;

that the agency will at 9:30 a.m., Friday, January 27, 1989, in the Airport Hilton Hotel, 17620 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 70.24.270 and 18.71A.040.

The specific statute these rules are intended to implement is RCW 70.24.270.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 26, 1989.

Dated: December 20, 1989 [1988]

By: John H. Keith  
Assistant Attorney General  
Board Counsel

### STATEMENT OF PURPOSE

Title: Board of Medical Examiners. WAC 308-52-620 AIDS prevention and information education requirements.

Summary of Rule and Description of Purpose: This proposal would implement the new AIDS legislation (chapter 206, Laws of 1988) by requiring that medical doctors obtain at least four hours of continuing education about the prevention, transmission and treatment of AIDS.

Statutory Authority: RCW 70.24.270.

Specific Statute Rule is Intended to Implement: RCW 70.24.270.

Reasons for Supporting Proposed Action: To ensure the safety and welfare of the citizens of Washington state.

Responsible Agency Personnel for Implementation: Linda Crerar, Acting Executive Secretary, Washington State Board of Medical Examiners, 1300 South Quince, Olympia, WA 98504, 234-2205 scan, 753-2205 comm.

Organization Proposing Rule: Washington State Board of Medical Examiners.

Agency Comments or Recommendations: None.

Rule is not necessary as a result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: None.

### NEW SECTION

WAC 308-52-620 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the Department of Social and Health Services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Application for licensure. Effective July 1, 1989 persons who submit an application for licensure shall submit, prior to being granted a license and in addition to the other requirements, evidence to show compliance with the educational requirements of subsection (4).

(3) 1989 renewal of licenses. Effective with the renewal period beginning July 1, 1989, through June 30, 1990, all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Renewal applicants who have documented hardship which prevents obtaining the required education on AIDS may petition the board for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that qualifies for continuing medical education credit. Such education and training shall be a minimum of four clock hours regarding the prevention, transmission and treatment of AIDS, and may include, but is not limited to, the following: etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective July 1, 1989, the requirement for licensure, renewal, or reinstatement of any license that is lapsed, inactive, or revoked or actually suspended for a term during which the licensee did not obtain the required AIDS education shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The licensee or applicant for licensure shall:

(i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(ii) Keep records for two years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

**APPROVED AND ADOPTED** December 6, 1988.  
By John Hatcher  
Vice Chairperson

**AMENDATORY SECTION** (Amending Order PM 721, filed 4/15/88)

**WAC 308-171-010 RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPISTS.** The board recognizes and approves courses of instruction conducted by schools that have obtained accreditation of the program in occupational therapy from the Committee on Allied Health Education and Accreditation of the American Medical Association in collaboration with the American Occupational Therapy Association as recognized in the 1987-1988 Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc. The following school program is also approved: Worcester State College.

**AMENDATORY SECTION** (Amending Order PM 721, filed 4/15/88)

**WAC 308-171-020 RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPY ASSISTANTS.** The board recognizes and approves courses of instruction conducted by schools that have obtained approval of the occupational therapy assistant associate degree programs and occupational therapy assistant certificate programs from the American Occupational Therapy Association as recognized in the 1987-1988 Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc. The following school programs are also approved: Austin Community College, Cincinnati Technical College, and Williamsport Area Community College.

**AMENDATORY SECTION** (Amending Order PM 636, filed 1/26/87)

**WAC 308-171-040 LICENSE RENEWAL REGISTRATION DATE AND FEE.** (1) Individuals making application for initial license, provided they meet the requirements for licensure in the state of Washington, will be issued a license to expire on their next birth anniversary date.

(2) Licenses shall be renewed upon a biennial basis on or before the licensee's birth anniversary date. Licenses not renewed on or before the licensee's biennial birth anniversary date shall expire immediately after the licensee's birth anniversary date and any practice engaged in with an expired license shall be deemed unlicensed practice.

(3) Limited permits shall expire in accordance with RCW 18.59.040(7).

(4) On a one-time basis, effective February 1, 1989, all persons applying for license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-171-320.

**WSR 89-01-081**  
**ADOPTED RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Occupational Therapy Practice)**  
[Order PM 805—Filed December 20, 1988]

Be it resolved by the Board of Occupational Therapy, acting at the Best Western Executel, 5700 Pacific Highway East, Tacoma, WA, that it does adopt the annexed rules relating to new sections WAC 308-171-320 and 308-171-330; and amending WAC 308-171-040, 308-171-010 and 308-171-020.

This action is taken pursuant to Notice No. WSR 88-22-073 filed with the code reviser on November 2, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Board of Occupational Therapy Practice as authorized in RCW 18.59.130 and 18.130.050.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of WAC 308-171-320 with their renewal application. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989. Those persons who must renew during 1990 shall submit evidence of compliance with WAC 308-171-320 on or before December 31, 1989.

#### NEW SECTION

**WAC 308-171-320 AIDS EDUCATION AND TRAINING.** (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department of licensing will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of six clock hours of which three hours must be didactic instruction and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(4) Implementation. Effective February 1, 1989, the requirement for licensing application, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (3) of this section.

(5) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

#### NEW SECTION

**WAC 308-171-330 APPLICATION FOR LICENSURE.** (1) Effective February 1, 1989, all persons applying for licensure including a limited permit, shall submit compliance with the education requirements of WAC 308-171-320.

(2) Those persons submitting application in 1989 who are unable to comply with WAC 308-171-320 may upon written application be granted an extension to December 31, 1989.

#### **WSR 89-01-082**

##### **ADOPTED RULES**

##### **DEPARTMENT OF LICENSING**

##### **(Securities Division)**

[Order PM 807—Filed December 20, 1988]

I, Mary G. Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to fees and charges, new section WAC 460-90A-145.

This action is taken pursuant to Notice No. WSR 88-16-101 filed with the code reviser on August 3, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 19.105-411 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 12, 1988.

By Mary G. Faulk  
Director

#### NEW SECTION

**WAC 460-90A-145 FEES AND CHARGES.** The following fees shall be paid under the provisions of Chapter 19.105 RCW:

(1) **REGISTRATION FEES:** Applicants filing an original registration shall pay a basic fee of fifteen hundred dollars (\$1500.00).

(2) **CONTRACT FEES:** In addition to the registration fees, registrants shall pay fees for each grouping of contracts in the registration as provided in the following schedule:

1 –	500	\$ 350.00
501 –	1000	450.00
1001 –	1500	550.00
1501 –	2000	650.00
2001 –	2500	750.00
2501 –	3000	850.00
3001 –	3500	950.00
3501 –	4000	1050.00
4001 –	4500	1150.00
4501 –	5000	1250.00
5001 –	5500	1350.00
5501 –	6000	1450.00
6001 –	6500	1550.00
6501 –	7000	1650.00
7001 –	7500	1750.00
7501 –	8000	1850.00
8001 –	8500	1950.00
8501 –	9000	2050.00
9001 –	9500	2150.00
9501 –	10000	2250.00
10001 –		2350.00

(3) **RENEWAL FEES:** Each application for an annual renewal shall be accompanied by a fee of five hundred

fifty dollars (\$550.00), plus the prescribed contract fees in section (2) of this rule for each grouping of contracts authorized in the permit to market.

(4) FEES FOR AMENDING REGISTRATION AND PUBLIC OFFERING STATEMENTS: (a) For each amendment of registration or the public offering statement, pursuant to RCW 19.105.420, not requiring an examination of documentation for adding campgrounds or additional contracts to the registration, a fee of fifty dollars (\$50.00) shall be paid. (b) Amendment for the establishment of an additional campground into the registration, for which an examination of documentation is required, there shall be paid, exclusive of any other fees owed under this rule, a fee of two hundred fifty dollars (\$250.00). A penalty fee of one hundred dollars (\$100.00) shall be assessed and paid for failure to file an amendment within 30 days of the occurrence of a material change as defined in WAC 460-90A-017 or WAC 460-90A-018.

(5) FEES FOR IMPOUNDS, ESCROWS, TRUSTS AND DEPOSITORYES: For each impound, escrow, trust, or other arrangement requiring agency monitoring for purposes of satisfying the provisions of RCW 19.105.340, 19.105-.350, Section 7, chapter 159 Laws of 1988 and Section 12, chapter 159 Laws of 1988, the initial fee for establishing the impound, escrow, trust or other arrangement shall be two hundred fifty dollars (\$250.00) and the fee for each required periodic report shall be twenty dollars (\$20.00).

(6) FEES AND ADVERTISEMENT FILINGS: (a) For each individual advertisement filed with the department, there shall be a fee of thirty dollars (\$30.00) paid at the time of the initial submission of the advertisement to the department. Should a registrant fail to submit a required filing of an advertisement or advertisements in a timely manner, the thirty dollar (\$30.00) fee for each advertisement shall be collected from the registrant, even if the advertisement or advertisements at issue are no longer in use or being disseminated. (b) Registrants or applicant submitting an advertisement or advertisements involving no examination of campground instruments and which are for the purpose of marketing surveys or feasibility studies shall pay a fee of seventy-five dollars (\$75.00).

(7) INSPECTION FEES: Applicants and registrants shall pay the costs of inspections conducted pursuant to Section 18, chapter 159 Laws of 1988. The inspection fee shall be paid within 30 days of request subsequent to the inspection. The inspection fee shall be determined by the actual cost to the department for conducting the inspection. The inspection fees must be paid prior to the processing of a registration, a renewal of registration or amendment seeking addition of a campground to a program.

(8) SALESPERSON FEES: Applicants for registration as camp resort salesperson shall pay an initial application and renewal fee of sixty dollars (\$60.00) and a fee of sixty dollars (\$60.00) for each transfer of the salespersons registration. Failure to renew a salesperson registration within 30 days after expiration shall result in termination of the registration and a new application for registration must be made.

(9) FEES FOR EXEMPTIONS AND EXEMPTION APPLICATIONS: For a review of an application for exemption under RCW 19.105.320(3), the applicant shall submit a fee of one hundred fifty dollars (\$150.00). If the exemption request is denied, the registrant shall be given credit for the one hundred fifty dollars (\$150.00) fee submitted toward the registration fee under section (1) of this rule.

(10) All fees are non-refundable after application has been received.

(11) All fees shall be paid to the order of the Washington State Treasurer.

### WSR 89-01-083

#### ADOPTED RULES

#### DEPARTMENT OF LICENSING

(Board of Dental Examiners)

[Order PM 809—Filed December 20, 1988]

Be it resolved by the Washington State Board of Dental Examiners, acting at the West Coast Sea-Tac Hotel, Cascade Room, Seattle, Washington, that it does adopt the annexed rules relating to examination results, amending WAC 308-40-104.

This action is taken pursuant to Notice No. WSR 88-20-034 filed with the code reviser on October 30, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Board of Dental Examiners as authorized in RCW 18.32.640.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 10, 1988.

By Steven P. Marinkovich, D.D.S.  
President

#### AMENDATORY SECTION (Amending Order PL 547, filed 8/7/85)

#### WAC 308-40-104 EXAMINATION RESULTS.

(1) In order to pass the examination, the applicant must pass the theory section and the practical section of the examination.

(2) Failure on two or more phases of the practical section under WAC 308-40-102 (1)(b) will require reexamination on the entire examination. An applicant who fails only one phase will be required to be reexamined only on the phase failed: PROVIDED, That if the applicant who has failed only one phase has not taken and passed the failed phase by the next examination administration offered, then the entire practical section must be retaken.

(3) Applicants who fail the examination, or a phase of the examination, as provided in subsection (2) of this section may apply for reexamination by completing an

application and submitting the appropriate fee to the division of professional licensing.

(4) An applicant((s)) who fails to appear for examination at the designated time and place shall forfeit the examination fee, unless he or she has notified the department of licensing at least thirty days prior to the scheduled examination of his or her inability to appear. If an applicant notifies the department thirty days or more prior to the designated examination date that he or she will not be appearing, the examination fee will be carried over only to the next regularly scheduled examination. Examination fees are nonrefundable.

**WSR 89-01-084**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning importation of poultry and hatching eggs, chapter 16-59 WAC;

that the agency will at 1:30 p.m., Tuesday, January 24, 1989, in the Western Washington Research and Extension Center, Chicona Room, WSU, Puyallup, Washington 98371, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 27, 1989.

The authority under which these rules are proposed is chapter 16.36 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 21, 1988  
 By: Mike Willis  
 Assistant Director

**STATEMENT OF PURPOSE**

Title: Poultry and hatching eggs—Importation and interstate movement.

Description of Purpose: To amend chapter 160-59 WAC to modernize the language and reflect change in testing procedures in the poultry industry.

Statutory Authority: Chapter 16.36 RCW.

Summary of Rules: The rule establishes the requirements for importation of poultry into the state of Washington. Poultry is defined. Test or program requirements for Pullorum-typhoid and Salmonella enteritidis are established. Importation of birds exposed to infectious laryngotracheitis, infectious coryza and ornithosis is prohibited.

Reasons Supporting the Proposed Rule: These rules are necessary to protect Washington's poultry industry from introduction of various diseases and in the case of Salmonella enteritidis to protect public health.

Agency Personnel to Contact: Dr. Robert W. Mead, State Veterinarian, Department of Agriculture, Livestock Services Division, 406 General Administration Building, AX-41, Olympia, WA 98504, phone (206) 753-5040.

Agency Comment: None.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Small Business Economic Impact Statement: None.

**Chapter 16-59 WAC**  
**((POULTRY AND HATCHING EGGS—IMPORTATION AND INTERSTATE MOVEMENT)) IMPORTATION OF POULTRY AND HATCHING EGGS**

**AMENDATORY SECTION** (Amending Order 997, Regulations 3, 4, 5, filed 1/21/66)

WAC 16-59-030 TESTING OF BREEDING STOCK. (1) Pullorum-typhoid: All hatching eggs, baby chicks and/or pouls, and growing stock ((and adult stock in intrastate or)) (started pullets) in interstate movement shall have originated from parent or grandparent stock which ((have been found free from pullorum-typhoid by the application of blood agglutination tests performed within twelve months (18 months if hatching eggs) immediately prior to the breeding season during which the eggs or poultry being moved were produced or all birds in the shipment be found free under same approved methods within thirty days of movement. Such blood agglutination tests are to be conducted under supervision of national poultry or turkey improvement plans or other personnel, agencies or laboratories authorized to perform such testing by the animal health control agency of the state of origin. Tube agglutination test of serum, rapid test of serum or whole blood test are acceptable when applied in accordance with the requirements of this regulation. In all tests conducted the reactors must be serially numbered by leg or wing bands or otherwise positively identified before being removed from the flock. Any person who sells poultry or poultry products as)) are/were registered as participating flocks under the National Poultry Improvement Plan (NPIP) or equivalent state program and classified as Salmonella pullorum-typhoid free and monitored for Salmonella enteritidis. Acceptable tests are serum tube agglutination, serum or whole blood plate agglutination with pullorum antigen or Enzyme Linked Immuno-Sorbent Assay (ELISA). Any person who sells poultry or hatching eggs as Salmonella pullorum-typhoid free must qualify such under the provisions of this order: PROVIDED, HOWEVER, That eggs for table consumption and stock for immediate slaughter, or shipments consigned to a diagnostic laboratory or research institute approved by Washington state department of agriculture, shall be exempt from pullorum-typhoid requirements contained in this order.

(2) Infectious laryngotracheitis; infectious coryza: No poultry shall be transported, shipped or otherwise introduced into the state that have been naturally infected((, vaccinated)) with or exposed to poultry ((vaccinated with, a live or attenuated infectious laryngotracheitis and/or coryza vaccine or exposed to poultry that are or have been infected with infections)) naturally infected with field strains of infectious laryngotracheitis or infectious coryza or vaccinated with virulent laryngotracheitis or infectious coryza vaccines, except upon a permit from the director of agriculture and subject to ((thirty day)) quarantine at destination. Such permits will be granted only when available authentic information indicates that the poultry to be transported will not present a disease hazard to state of Washington flocks: PROVIDED, HOWEVER, That eggs for table consumption, when washed and sanitized by methods required by the state veterinarian, stock for immediate slaughter or stock consigned to a diagnostic or research laboratory approved by Washington state department of agriculture shall be exempt from the infectious laryngotracheitis; infectious coryza requirements contained in this order: PROVIDED FURTHER, That crates or equipment used for such transportation are cleaned and sterilized to the satisfaction of Washington state department of agriculture authorities or burned before leaving the slaughter or diagnostic premises.

(3) Ornithosis: Poultry and eggs from flocks in ((areas where)) which ornithosis has been diagnosed shall not be imported into or moved intrastate in the state of Washington except on written permit from the Washington state department of agriculture.

**WSR 89-01-085****PROPOSED RULES****DEPARTMENT OF INFORMATION SERVICES**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Information Services intends to adopt, amend, or repeal rules concerning access to public records of the Department of Information Services and the Information Services Board, chapter 143-06 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 24, 1989.

The authority under which these rules are proposed is chapter 43.105 RCW.

The specific statute these rules are intended to implement is chapter 42.17 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 20, 1988

By: George K. Pickett  
Assistant Director

Management Support Division

**STATEMENT OF PURPOSE**

Title and Number of Rule Section(s) or Chapter(s): Title 143 WAC, Department of Information Services, chapter 143-06 WAC, Practice and procedure of agency—Public records.

Description of Purpose: To update agency rules on public records access.

Statutory Authority: Chapter 43.105 RCW.

Specific Statute Rule is Intended to Implement: Chapter 42.17 RCW.

Summary of Rule: Repeals WAC 143-06-990 Appendix A—Form—Request for public records.

Reasons Supporting the Proposed Action: This form is no longer used.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: George Pickett, Assistant Director, Management Support Division.

Name of the Person or Organization, Whether Private, Public or Governmental, Proposing the Rule: Washington State Department of Information Services.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: Corrects prior oversight in failing to repeal this section.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Rule did not result from federal law or federal or state court action.

Small Business Economic Impact Statement: Rule has no small business economic impact.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 143-06-990 APPENDIX A—FORM—REQUEST FOR PUBLIC RECORDS.

**WSR 89-01-086****PROPOSED RULES****DEPARTMENT OF LICENSING**

(Board of Optometry)

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Optometry intends to adopt, amend, or repeal rules concerning AIDS prevention and information education requirements, new section WAC 308-53-400;

that the agency will at 2:30 p.m., Thursday, February 2, 1989, in the Department of Licensing Conference Room, 464 12th Avenue, Suite 300, Seattle, WA 98122, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is section 604, chapter 206, Laws of 1988.

The specific statute these rules are intended to implement is section 604, chapter 206, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Tuesday, January 31, 1988 [1989].

Dated: December 21, 1988

By: Victoria W. Sheldon  
Assistant Attorney General

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Board of Optometry.

Purpose and Summary: To establish procedures for implementation of AIDS prevention and information education requirements for licensed optometrists and for applicants for licenses.

Statutory Authority: Section 604, chapter 206, Laws of 1988.

Responsible Personnel: The Washington State Board of Optometry and the program manager for the board have the responsibility for drafting, implementing and enforcing these rules. The program manager is Cynthia Jones, 1300 Quince Street S.E., Olympia, WA 98504, phone (206) 753-2494 comm, 234-2494 scan.

Proponents: The Washington State Board of Optometry. At the hearing the board will consider whether four hours or seven hours is the appropriate requirement for continuing education.

Federal Law or Federal or State Court Requirements: Not necessitated as a result of federal or state court action.

Small Business Economic Impact Statement: Not required and not provided in that these rules do not impact small businesses as that term is defined in RCW 19.85.020.

**ALTERNATIVE 1****NEW SECTION**

WAC 308-53-400 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the Department of Social and Health Services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Application for licensure. Effective July 1, 1989 persons who submit an application for licensure shall submit, prior to being granted a license and in addition to the other requirements, evidence to show compliance with the educational requirements of subsection (4).

(3) 1989 renewal of licenses. Effective with the renewal period beginning July 1, 1989, through June 30, 1990, all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Renewal applicants who have documented hardship which prevents obtaining the required education on AIDS may petition the board for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the topical outline supported by the office on AIDS. Such education and training shall be a minimum of four (4) clock hours regarding the prevention, transmission and treatment of AIDS, and may include, but is not limited to, the following: etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective January 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The licensee or applicant for licensure shall:

- (i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;
- (ii) Keep records for two years documenting attendance and description of the learning;
- (iii) Be prepared to validate, through submission of these records, that attendance has taken place.

#### NEW SECTION

##### **WAC 308-53-400 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.**

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the Department of Social and Health Services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Application for licensure. Effective July 1, 1989 persons who submit an application for licensure shall submit, prior to being granted a license and in addition to the other requirements, evidence to show compliance with the educational requirements of subsection (4).

(3) 1989 renewal of licenses. Effective with the renewal period beginning July 1, 1989, through June 30, 1990, all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Renewal applicants who have documented hardship which prevents obtaining the required education on AIDS may petition the board for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the topical outline supported by the office on AIDS. Such education and training shall be a minimum of seven (7) clock hours regarding the prevention, transmission and treatment of AIDS, and may include, but is not limited to, the following: etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective January 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The licensee or applicant for licensure shall:

- (i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(ii) Keep records for two years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

#### **WSR 89-01-087**

##### **ADOPTED RULES**

##### **DEPARTMENT OF LICENSING**

##### **(Board of Optometry)**

[Order 812—Filed December 21, 1988—Eff. January 1, 1990]

Be it resolved by the Washington State Board of Optometry, acting at Olympia, that it does adopt the annexed rules relating to the amending of WAC 308-53-200.

This action is taken pursuant to Notice No. WSR 88-22-072 filed with the code reviser on November 2, 1988. These rules shall take effect at a later date, such date being January 1, 1990.

This rule is promulgated pursuant to RCW 18.54.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

**APPROVED AND ADOPTED December 9, 1988.**

By Jack R. Hale  
Chairman

#### **AMENDATORY SECTION (Amending Order PL 256, filed 9/13/76)**

##### **WAC 308-53-200 MINIMUM EQUIPMENT REQUIREMENTS. (1) At the minimum, every licensed optometrist must have ((in his office)) immediate access on the premises to the following equipment and accessories, all of which must be in working condition:**

- (a) Adjustable examining chair;
- (b) Phoropter/refractor;
- (c) Retinoscope;
- (d) Ophthalmoscope;
- (e) Pupillary distance measuring device;
- (f) Projector and screen; or illuminated test cabinet, or chart for distant vision testing;
- (g) Nearpoint vision testing equipment;
- (h) Lensometer/vertometer;
- (i) Tonometer((:));
- (j) Biomicroscope/slit lamp;
- (k) A clinically accepted visual field testing instrument or equipment.

(2) In addition to the equipment and accessories listed in subsection (1) above, if a licensed optometrist prescribes contact lenses he must have in his office the following equipment, all of which must be in working condition:

- (a) Diameter gauge;
- (b) Thickness gauge;
- (c) Cobalt or black light instrument;

- (d) Magnifier, which may separate or part of cobalt or black light instrument;
- (e) Radiuscope/contactogauge type measuring instrument;
- (f) Thickness tables;
- (g) Diopter to millimeter conversion tables;
- (h) ((Biomicroscope/slit lamp;
- ((t))) Ophthalmometer/P.E.K. corneal measurement type instrument.

**WSR 89-01-088**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education intends to adopt, amend, or repeal rules concerning preschool accreditation, chapter 180-59 WAC;

that the agency will at 9:00 a.m., Thursday, January 26, 1989, in the Quinault Room, Tyee Hotel, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Friday, January 27, 1989.

The authority under which these rules are proposed is RCW 28A.34.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Thursday, January 26, 1989.

Dated: December 21, 1988  
By: Monica Schmidt  
Secretary

#### STATEMENT OF PURPOSE

Rule: Chapter 180-59 WAC.

Rule Section(s): WAC 180-59-005 through 180-59-165.

Statutory Authority: RCW 28A.34.120.

Purpose of the Rule(s): To set forth standards and procedures for voluntary accreditation of public and nonpublic preschools by the State Board of Education.

Summary of the New Rule(s) and/or Amendments:  
Sets forth basic standards for preschool accreditation.

Reasons Which Support the Proposed Action(s):  
RCW 28.34.120 [28A.34.120] directed the State Board of Education to adopt rules for preschool accreditation.

Section Analysis: WAC 180-59-005 states authority for this chapter; 180-59-010 states purpose of this chapter; 180-59-015 states public policy purpose; 180-59-020 defines preschools; 180-59-025 defines accredited preschools; 180-59-030 defines readiness skills; 180-59-035 defines public schools; 180-59-037 defines non-public schools; 180-59-040 defines instructional staff; 180-59-045 defines general supervision; 180-59-047 defines validation; 180-59-050 establishes the basic standard for health and safety; 180-59-055 establishes the basic standard for instructional personnel; 180-59-060 establishes the basic standard for special education in

nonpublic preschools; 180-59-065 establishes the basic standard for instructional staff-child ratio; 180-59-070 establishes the basic standard for general staff qualifications; 180-59-075 establishes the basic standard for noncertified instructional staff training; 180-59-080 establishes the basic standard for staff-parent communication; 180-59-090 establishes the basic standard for activities and curriculum; 180-59-095 establishes the basic standard for records; 180-59-100 establishes the basic standard for validator qualifications; 180-59-105 prescribes accreditation procedures; 180-59-110 prescribes responsibility for on-site validation; 180-59-115 prescribes preparation for onsite validation for accreditation; 180-59-120 prescribes alternate procedure for validation for accreditation; 180-59-125 prescribes State Board of Education procedures for issuing approval or denial of accreditation; 180-59-130 prescribes procedures for filing the annual statement of assurances; 180-59-135 states conditions for loss of accreditation by a nonoperating preschool; 180-59-140 states conditions for granting exceptions to preschools unable to follow prescribed procedures in filing an initial application for accreditation or annual statement of assurances; 180-59-145 prescribes procedures for appealing accreditation actions by the Superintendent of Public Instruction or State Board of Education; 180-59-150 provides annual statement of assurances to be submitted by accredited preschools; 180-59-155 describes effective period of accreditation; 180-59-160 describes renewal of accreditation; and 180-59-165 describes change of ownership or management.

Person or Organization Proposing the Rule(s): SBE, government.

Agency Personnel Responsible for Drafting: Richard M. Wilson, SPI, 3-2298; Implementation and Enforcement: Charles Marshall, SPI, 3-1880.

The Rule(s) is (are) not Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: [No information supplied by agency.]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): [No information supplied by agency.]

#### Chapter 180-59 WAC PRESCHOOL ACCREDITATION

##### WAC

180-59-005	Authority.
180-59-010	Purpose.
180-59-015	Public policy purpose.
180-59-020	Preschool—Definition.
180-59-025	Accredited preschool—Definition.
180-59-030	Readiness skills—Definition.
180-59-035	Public schools—Definition.
180-59-037	Nonpublic preschools—Definition.
180-59-040	Instructional staff—Definition.
180-59-045	General supervision—Definition.
180-59-047	Validation—Definition.
180-59-050	Basic standard—Health and safety.
180-59-055	Basic standard—Instructional personnel.
180-59-060	Basic standard—Special education—Nonpublic preschools.
180-59-065	Basic standard—Instructional staff-child ratio.
180-59-070	Basic standard—General staff qualifications.
180-59-075	Basic standard—Noncertified instructional staff training.

180-59-080	Basic standard—Staff-parent communication.
180-59-090	Basic standard—Activities and curriculum.
180-59-095	Basic standard—Records.
180-59-100	Basic standard—Validator qualifications.
180-59-105	Accreditation procedures.
180-59-110	Responsibility for on-site validation of preschool programs.
180-59-115	Preparation for accreditation on-site validation.
180-59-120	Alternate procedure for validation for accreditation.
180-59-125	Issuance of accreditation by the state board of education.
180-59-130	Annual statement of assurances.
180-59-135	Loss of accreditation of a nonoperating preschool.
180-59-140	Accreditation—Annual statement of assurances and initial application—Exception.
180-59-145	Appeals.
180-59-150	Annual statement of assurances form.
180-59-155	Effective period of accreditation.
180-59-160	Renewal of accreditation.
180-59-165	Change of ownership or management.

**NEW SECTION**

**WAC 180-59-005 AUTHORITY.** The authority for this chapter is RCW 28A.34.120 which directs the state board of education to establish standards and procedures for voluntary accreditation of all public and nonpublic preschools.

**NEW SECTION**

**WAC 180-59-010 PURPOSE.** The purpose of this chapter is to set forth standards and procedures for voluntary accreditation of public and nonpublic preschools by the state board of education.

**NEW SECTION**

**WAC 180-59-015 PUBLIC POLICY PURPOSE.** The public policy purposes of preschool accreditation are:

- (1) Give parents and other consumers of preschool programs an indicator of the quality of preschool programs;
- (2) Promote the establishment of quality preschool programs;
- (3) Improve the quality of existing preschool programs; and
- (4) Give recognition to existing quality preschool programs.

**NEW SECTION**

**WAC 180-59-020 PRESCHOOL—DEFINITION.** As used in this chapter, the term "preschool" means educational programs that emphasize readiness skills and that enroll children of preschool age on a regular basis for four hours per day or less.

**NEW SECTION**

**WAC 180-59-025 ACCREDITED PRESCHOOL—DEFINITION.** As used in this chapter, the term "accredited preschool" shall mean a preschool which has been accredited by the state board of education in accordance with the standards for accreditation as prescribed in this chapter.

**NEW SECTION**

**WAC 180-59-030 READINESS SKILLS—DEFINITION.** As used in this chapter, the term "readiness skills" shall mean the cognitive, communicative, emotional, physical, aesthetic, creative, and social skills which are appropriate to the child's developmental level.

**NEW SECTION**

**WAC 180-59-035 PUBLIC SCHOOLS—DEFINITION.** As used in this chapter, the term "public schools" shall mean those schools maintained at public expense as defined in RCW 28A.01.055 and 28A.01.060.

**NEW SECTION**

**WAC 180-59-037 NONPUBLIC PRESCHOOLS—DEFINITION.** As used in this chapter, the term "nonpublic preschools" shall mean preschools not maintained at public expense, including, but not limited to, private or independent preschools carrying out a program for preschool.

**NEW SECTION**

**WAC 180-59-040 INSTRUCTIONAL STAFF—DEFINITION.** As used in this chapter, the term "instructional staff" shall mean certificated and noncertificated employees who are responsible for carrying out the instructional component of the preschool program.

**NEW SECTION**

**WAC 180-59-045 GENERAL SUPERVISION—DEFINITION.** As used in this chapter, the term "general supervision" means that one teacher or administrator as defined in WAC 180-59-055 shall be available at the preschool site at all times to observe and advise the instructional staff.

**NEW SECTION**

**WAC 180-59-047 VALIDATION—DEFINITION.** As used in this chapter, the term "validation" shall mean the process of substantiating or verifying the information provided by the preschool applying for accreditation.

**NEW SECTION**

**WAC 180-59-050 BASIC STANDARD—HEALTH AND SAFETY.** In order to be accredited, a public or nonpublic preschool must meet applicable federal, state, and local health and fire safety requirements. Nonpublic preschools not located in approved private schools, as defined in WAC 180-90-112 through 180-90-115, must meet current department of social and health services child daycare licensing requirements.

**NEW SECTION**

**WAC 180-59-055 BASIC STANDARD—INSTRUCTIONAL PERSONNEL.** In order to be accredited, a preschool shall have at least one teacher for every twenty-five children or fraction thereof enrolled in the preschool who meets one of the following conditions:

- (1) A valid teaching certificate with an early childhood education endorsement (grades P-3) pursuant to WAC 180-79-340;
- (2) A two-year or four-year degree in early childhood education;
- (3) A vocational certificate in early childhood education which reflects a minimum of one thousand clock hours of training;
- (4) A child development associate credential, one thousand contact hours of employment in a preschool setting, and current enrollment in the degree programs listed in subsection (2) or (3) of this section.

**NEW SECTION**

**WAC 180-59-060 BASIC STANDARD—SPECIAL EDUCATION—NONPUBLIC PRESCHOOLS.** Nonpublic preschools may also apply, pursuant to WAC 392-171-496, for status as an approved nonpublic agency for the education of preschool handicapped children.

**NEW SECTION**

**WAC 180-59-065 BASIC STANDARD—INSTRUCTIONAL STAFF—CHILD RATIO.** At no time shall the instructional staff-child ratio fall below the following limits:

- (1) Ages birth through 11 months: One instructional staff person (as defined in WAC 180-59-040) to every 4 children;
- (2) Ages 12 through 29 months: One instructional staff person to every 6 children;
- (3) Ages 30 through 47 months: One instructional staff person to every 8 children; and
- (4) Ages 48 months and above: One instructional staff person to every 10 children;
- (5) At least two adults shall be present at all times to ensure that one adult is available to respond to an emergency while the other continues oversight of other children.

**NEW SECTION**

**WAC 180-59-070 BASIC STANDARD—GENERAL STAFF QUALIFICATIONS.** To be accredited, a preschool shall be staffed by persons who:

- (1) Demonstrate appropriate personal characteristics for working with young children as defined in WAC 180-75-081; and

(2) Have undergone a background check through the Washington state patrol criminal identification system, including fingerprinting, as provided in chapter 486, Laws of 1987, at the person's own expense.

#### NEW SECTION

**WAC 180-59-075 BASIC STANDARD—NONCERTIFIED INSTRUCTIONAL STAFF TRAINING.** To be accredited, a preschool program which employs noncertified instructional staff shall employ staff who meet the following conditions:

(1) Have at least thirty clock hours of preservice training in early childhood education.

(2) Have at least ten clock hours annually of inservice training in early childhood education.

(3) Must be at least sixteen years of age.

(4) Meet the character requirements in WAC 180-59-070 and 180-75-081.

#### NEW SECTION

**WAC 180-59-080 BASIC STANDARD—STAFF-PARENT COMMUNICATION.** To be accredited, a preschool shall:

(1) Provide initial written information concerning the school's program, philosophy, and procedures to parent(s) or primary care provider(s) of children enrolled;

(2) Provide for an initial meeting with parent(s) or primary care provider(s) of enrollees to discuss parent/staff expectations and to allow the parent(s) or primary care provider(s) to share any special information about the child; and

(3) Provide meaningful regular reports to the parent(s) or primary care provider(s) on at least a monthly basis, verbally or in writing containing pertinent information about the child's activities, development, problems, etc., in the preschool program.

#### NEW SECTION

**WAC 180-59-090 BASIC STANDARD—ACTIVITIES AND CURRICULUM.** In order to be accredited, preschools must meet the following basic standards:

(1) Preschool activities and curriculum shall be designed to be developmentally appropriate and meet the specific needs of the children enrolled in the area of the children's physical, social, emotional, aesthetic, creative, communicative, and cognitive growth.

(2) Materials, equipment, and environment of the preschool shall be appropriate to the ages of the children enrolled and meet the specific needs of those children.

#### NEW SECTION

**WAC 180-59-095 BASIC STANDARD—RECORDS.** In order to be accredited, a preschool shall, at a minimum, keep the following records, which shall be available upon request to the superintendent of public instruction:

(1) For each child, necessary family information, emergency information, attendance, health status, and school progress;

(2) For each staff member, current job description, compensation level, experience educational qualifications, training, health information, and evaluation of work performance;

(3) Written policies and procedures for operation, statement of philosophy and program description including school calendar, hours of operation, fees, parent responsibilities, personnel policies, and school guidance and disciplinary policies for children;

(4) Fiscal records including documentation of income, expenditures, budgeting and financial planning, liability insurance for the program and facility, and accident protection and insurance coverage maintained for children and staff; and

(5) Measures have been taken to safeguard all permanent records in a confidential manner and protect against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area.

#### NEW SECTION

**WAC 180-59-100 BASIC STANDARD—VALIDATOR QUALIFICATIONS.** In order to be an on-site validator, a person shall meet one of the following qualifications:

(1) Possess a valid teaching certificate which bears an early childhood education endorsement (grades P-3) pursuant to WAC 180-79-340, or have completed a two-year or four-year degree program in early childhood education.

(2) Have at least three years (2160 contact hours) working directly with children in group programs, and one year (720 hours) administering group programs for children.

(3) Have been trained as an assessor or validator by a state or national early childhood education training program or by a professional organization of early childhood educators.

#### NEW SECTION

**WAC 180-59-105 ACCREDITATION PROCEDURES.** Accreditation of preschool programs shall be granted by the state board of education upon successful completion of the procedure described below:

(1) The forms developed by the superintendent of public instruction shall be used by the applying preschool for self-study regarding basic standards described in this chapter. The self-study forms shall be completed prior to an on-site visit by the accreditation validator(s).

(2) The superintendent of public instruction validation forms shall be used for the on-site visit by the accreditation validator(s).

(3) Following the on-site validation visit, the validator shall submit to the superintendent of public instruction the following:

(a) Self-study from the applying preschool; and

(b) The signed statement of assurances in WAC 180-59-150; and

(c) The validation report prepared by the on-site validator.

(4) After reviewing the self-study, statement of assurances, and additional documents submitted by the validator, the superintendent of public instruction shall:

(a) Recommend to the state board of education that the preschool receive accreditation;

(b) Recommend to the state board of education that the preschool receive conditional accreditation based upon conditions stated in WAC 180-59-150;

(c) Issue a report to the preschool seeking accreditation outlining conditions which, if corrected within sixty days and verified by the superintendent of public instruction, shall result in a positive recommendation to the state board of education and that, if not corrected, shall result in a recommendation for denial of accreditation; or

(d) Recommend to the state board of education that the preschool be denied accreditation.

#### NEW SECTION

**WAC 180-59-110 RESPONSIBILITY FOR ON-SITE VALIDATION OF PRESCHOOL PROGRAMS.** The preschool applicant shall have the responsibility of obtaining on-site validator(s) to conduct an on-site validation of the preschool program for purposes of determining eligibility for accreditation under this chapter. It is the responsibility of the preschool to meet the following conditions:

(1) The length of the validation shall be at least one day.

(2) The validator(s) shall meet the qualifications described in WAC 180-59-100.

(3) Fees, if any, charged for the on-site validation shall be the responsibility of the applying preschool.

#### NEW SECTION

**WAC 180-59-115 PREPARATION FOR ACCREDITATION ON-SITE VALIDATION.** In order to be accredited, a preschool must meet the following conditions:

(1) Prior to an on-site validation, preschool staff shall complete the self-study using the standards in WAC 180-59-050 through 180-59-095 and shall return completed self-study forms to the superintendent of public instruction.

(2) After reviewing the self-study forms, the superintendent of public instruction shall notify the applying preschool of permission to proceed with the on-site review.

(3) The validator(s) assigned for the on-site visit shall review the completed forms and establish with the preschool a mutually agreeable date for the visit.

(4) The validator(s) shall provide the preschool with a written confirmation of the on-site validation date and a proposed schedule of activities.

**NEW SECTION**

**WAC 180-59-120 ALTERNATE PROCEDURE FOR VALIDATION FOR ACCREDITATION.** As an alternative to the validation procedures outlined in WAC 180-59-100 through 180-59-115, a preschool may, at its discretion and expense, choose to apply to the National Academy of Early Childhood Programs for accreditation validation. Successful completion of such process shall be accepted by the superintendent of public instruction as validation for accreditation under this chapter. A copy of the NAEYC accreditation certificate and the statement of assurances in WAC 180-59-150 shall be submitted to the superintendent of public instruction by the applying preschool.

**NEW SECTION**

**WAC 180-59-125 ISSUANCE OF ACCREDITATION BY THE STATE BOARD OF EDUCATION.** Upon completion of the review of the preschool self-study, validator's report, if applicable, and signed statement of assurances in WAC 180-59-150, a recommendation shall be submitted by the superintendent of public instruction to the state board of education on forms provided for such purpose. On the basis of this recommendation the state board of education shall approve or deny accreditation to the applicant preschool.

(1) The state board of education shall issue a certificate of accreditation to a qualifying preschool upon receipt of a positive recommendation by the reviewing agency. Said accreditation shall be effective for three years from date of issuance.

(2) The state board of education shall send a written denial of accreditation, including the specific basis for denial, to a preschool for which a recommendation for accreditation has been denied by the reviewing agency: PROVIDED, That such preschool shall be eligible for an accreditation validation six months from the date the state board received the recommendation for denial of accreditation.

**NEW SECTION**

**WAC 180-59-130 ANNUAL STATEMENT OF ASSURANCES.** On or before September 30th, prior to the commencement of the annual school term or period, each accredited preschool shall file with the superintendent of public instruction, in accordance with procedures established by the superintendent of public instruction, an annual statement of assurances in the form and substance set forth in WAC 180-59-150. Failure to file this statement will result in a suspension in the accreditation of the preschool until the statement of assurances is received by the superintendent of public instruction.

**NEW SECTION**

**WAC 180-59-135 LOSS OF ACCREDITATION OF A NON-OPERATING PRESCHOOL.** An accredited preschool which does not have students enrolled for six consecutive calendar months and which fails to provide evidence of student enrollment upon request of the superintendent of public instruction for the said period of time shall lose its accreditation status.

**NEW SECTION**

**WAC 180-59-140 ACCREDITATION—ANNUAL STATEMENT OF ASSURANCES AND INITIAL APPLICATION—EXCEPTION.** Any preschool which is unable to file its application on September 30th prior to the commencement of the annual school term or period may in any event request that the superintendent of public instruction review the application and that the superintendent's findings and recommendations be submitted to the state board of education. This request shall be granted if the superintendent finds that the preschool was not sufficiently developed prior to the September 30th due date to enable it to comply with that requirement. The superintendent of public instruction shall have the discretion to grant the request in other exceptional circumstances. If said request is granted, the review shall be completed within sixty days and the findings and recommendations presented to the state board of education.

**NEW SECTION**

**WAC 180-59-145 APPEALS.** Pursuant to RCW 28A.34.120 any preschool may appeal the actions of the superintendent of public instruction or state board of education as provided in chapter 34.04 RCW and chapter 180-08 WAC.

**NEW SECTION**

**WAC 180-59-150 ANNUAL STATEMENT OF ASSURANCES FORM.** The annual certificate required by WAC 180-59-130 shall be in substantial compliance with the form and substance of the following:

**ASSURANCE OF COMPLIANCE  
WITH STATE STANDARDS**

Preschool  
Address

I, ...., do hereby certify that I am the chief administrator of the above named school; that said school is located at the address listed above, and conducts a preschool program with a projected enrollment of .....; and that said school is scheduled to meet from ..... to ....., the following standards with the exception only of such deviations, if any, as are set forth in an attachment to this certificate of compliance.

On each school day, children enrolled in the preschool are provided the opportunity to be engaged in educational activity planned by and under direction of the staff; as directed by the administration and/or governing board; and that children are provided a program offering as described in WAC 180-59-090.

(1)(a) At least one teacher who meets the requirements set forth in WAC 180-59-055 is on the instructional staff of the preschool for every twenty-five children or fraction thereof enrolled;

(b) The supervisory person is available at all times for consultation with instructional staff, as required by WAC 180-59-045; and

(c) Each child's progress is evaluated by the supervisory person.

(2) Measures have been taken to safeguard all permanent records in a confidential manner and protect against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area, as required by WAC 180-59-095;

(3) The physical facilities of the school are adequate to meet the program offered, and all school facilities and practices are in compliance with health and fire safety standards in WAC 180-59-050, as substantiated by inspection reports of appropriate health and fire safety officials which are on file in the chief administrator's office.

(4) The school does not engage in a policy of segregation or discrimination against persons on basis of race, physical disability etc.

(5) The governing authority of this preschool has been apprised of the requirements of WAC 180-59-005 through 180-59-165 relating to the requirements for accreditation of preschools and such governing authority has further been apprised of all deviations from the rules and regulations of the state board of education and the standards contained in this chapter. I have reported all such deviations herewith.

(6) The self-study forms of the superintendent of public instruction have been validated by an on-site visit by a qualified validator as described in WAC 180-59-100 through 180-59-115; or through the alternate procedure in WAC 180-59-120.

DATED this ..... day of ....., 19....

.....  
(signed)

.....  
(title)

.....  
(phone number)

**NEW SECTION**

**WAC 180-59-155 EFFECTIVE PERIOD OF ACCREDITATION.** Accreditation of a preschool under this chapter shall be effective for three years from the date on which the preschool is accredited by the state board of education.

**NEW SECTION**

**WAC 180-59-160 RENEWAL OF ACCREDITATION.** Three months prior to the end of each three-year accreditation period, an accredited preschool shall complete an application for a three-year renewal of accreditation on forms provided by the superintendent of public instruction. Renewal shall be granted upon successful completion of the procedures outlined in WAC 180-59-100 through 180-59-120.

**NEW SECTION**

**WAC 180-59-165 CHANGE OF OWNERSHIP OR MANAGEMENT.** An accredited preschool which changes ownership or management subsequent to receiving accreditation and prior to time for renewal shall, within thirty days, submit a new statement of assurances to the superintendent of public instruction.

**WSR 89-01-089**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- Amd WAC 248-15-040 Physician's trained mobile IV therapy technician—Training and knowledge standards.
- Amd WAC 248-15-050 Physician's trained mobile airway management technician—Training and knowledge standards;

that the agency will at 10:00 a.m., Tuesday, January 24, 1989, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 25, 1989.

The authority under which these rules are proposed is RCW 18.71.205.

The specific statute these rules are intended to implement is RCW 18.71.205.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Troyce Warner  
Office of Issuances  
Department of Social and Health Services  
Mailstop OB-33H  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 10, 1989. The meeting site is in a location which is barrier free.

Dated: December 20, 1988  
By: Leslie F. James, Director  
Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.  
Re: Amending WAC 248-15-040 and 248-15-050.  
Purpose of the Rule Change: To revise skill maintenance requirements of certified intravenous therapy

technicians, airway management technicians and mobile intensive care paramedics.

**Reason These Rules are Necessary:** To set realistic skill maintenance standards for certified personnel.

**Statutory Authority:** RCW 18.71.205.

In summary, the rule change amends requirements to perform specific numbers of intravenous and airway procedures during the period of certification of personnel certified under this WAC.

**Responsible Person:** Howard Farley, EMS Training and Licensing Program Manager, Office of Licensing and Certification, phone 753-5916, mailstop ET-27.

**Organizations who Support These Rules:** Washington State Medical Association and the state EMS Advisory Committee.

These rules are not necessary as a result of federal law, or federal or state court decisions.

**AMENDATORY SECTION (Amending Order 1329, filed 8/22/78)**

**WAC 248-15-040 PHYSICIAN'S TRAINED MOBILE IV THERAPY TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS.** (1) Shock and fluid therapy

- (a) Fluid and electrolytes:
  - (i) Demonstrate a knowledge of:
    - (A) Intracellular fluid
    - (B) Extracellular fluid
    - (C) Intravascular fluid
    - (D) Extravascular fluid
    - (E) Interstitial fluid
    - (F) Total body fluid;
  - (ii) Demonstrate a knowledge of:
    - (A) Isotonic solution
    - (B) Hypertonic solution
    - (C) Hypotonic solution;
  - (iii) Given a list of IV solutions, demonstrate a knowledge of the osmotic effect of the solution when introduced into the body;
  - (iv) Demonstrate a working knowledge of acid base balance in the human body and acid base equilibrium;
  - (v) Identify those fluids normally carried in the field that are used to increase the circulating blood volume;
  - (vi) Demonstrate a working knowledge of the components of D5W, D5-normal saline, lactated Ringers solution and bicarbonate ( $\text{NaHCO}_3$ ).
- (b) Blood and its components:
  - (i) Demonstrate a knowledge of blood and its components. Describe the function of:
    - (A) Plasma
    - (B) Red cells
    - (C) White blood cells
    - (D) Platelets;
  - (ii) Show an understanding of the common terms related to blood:
    - (A) Hematocrit
    - (B) Hemoglobin
    - (C) Anemia
    - (D) Hemostasis
    - (E) Transfusion reaction;
  - (iii) Demonstrate a knowledge of blood typing and be able to define:
    - (A) A universal donor
    - (B) A universal blood recipient
    - (C) A transfusion reaction.
  - (c) Techniques of management:
    - (i) Identify the criteria for intravenous infusion;
    - (ii) Identify all items which might normally be carried in a paramedic unit or paramedic kit, which relate to IV infusion;
    - (iii) Identify at least two components for each of the IV solutions carried in a paramedic's apparatus or that a paramedic is trained to administer. This will include a minimum of three solutions;
    - (iv) Demonstrate a knowledge of measuring volume of content in IV solution in milliliters and liters;
    - (v) Compare standard and pediatric IV administration sets with respect to drops per minute and explain the effect of the viscosity of the solution upon that rate;

- (vi) Demonstrate a knowledge of the various intravenous needles and their parts including:
  - (A) Winged needle devices (butterfly)
  - (B) Catheter over the needle device (ABBACATH or angiocath)
  - (C) Catheter through the needle device (INTRACATH);
- (vii) Compare the over-the-needle device with an intracatheter and be able to note the limitations and dangers of each;
- (viii) Identify the appropriate sites for venipuncture on the body;
- (ix) Demonstrate a knowledge of the anatomy of superficial veins of the upper and lower extremities;
- (x) Demonstrate in written examination, the sequence required to start an IV;
- [(xi)]

(xii) Demonstrate a knowledge of those situations that depict an air embolism in a patient, the effect of the embolism and the techniques for preventing embolisms;

(xiii) Be able to describe the effect of IV fluid temperature upon the vessels when entering a body;

(xiv) Be familiar with all of the common definitions and terms associated with shock and fluid therapy.

(2) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's school of medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural steps presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(3) The skills standards required of physician's trained mobile intravenous therapy technicians shall consist of the following minimum requirements or equivalent.

- (4) Fluid and IV therapy—skill standard
  - (a) Given the following equipment:
    - (i) 18# winged needle device;
    - (ii) Administration set;
    - (iii) IV fluid;
    - (iv) Iodine or alcohol wipes;
    - (v) Tourniquet;
    - (vi) Sterile dressing;
    - (vii) Padded armboard; and
    - (viii) Adhesive tape.

Demonstrate on a fellow student or patient the procedure for initiating an IV using a winged needle device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

- (b) Given the following equipment:
  - (i) 18# over-the-needle catheter device;
  - (ii) Administration set;
  - (iii) IV fluid;
  - (iv) Iodine or alcohol wipes;
  - (v) Tourniquet;
  - (vi) Sterile dressing;
  - (vii) Padded armboard; and
  - (viii) Adhesive tape.

Demonstrate on a practice arm, a fellow student or patient, the procedure for initiating an IV using an over-the-needle catheter device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

- (c) (Optional) Given the following equipment:
  - (i) 18# through-the-needle catheter device;
  - (ii) Administration set;
  - (iii) IV fluid;
  - (iv) Iodine wipes;
  - (v) Tourniquet;
  - (vi) Sterile dressing;
  - (vii) Padded armboard; and
  - (viii) Adhesive tape.

Demonstrate on a practice arm, the procedure for initiating an IV using a through-the-needle catheter device. The infusion will be considered successful if it is running at a rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(d) Given a properly functioning infusion on a practice arm, fellow student or patient during a practical exercise, demonstrate the technique of stopping an infusion and caring for the injection site.

(e) Given a minimum of three situations presented by the instructor during a practical exercise in which the IV infusion is not running on a practice arm, identify the problem and correct it. The problems may include the following:

- (i) Flow clamp closed;
- (ii) Height of IV too low;
- (iii) Needle not patent;
- (iv) Tubing kinked or pinched;
- (v) Air vent not patent;
- (vi) Tourniquet still in place;

(vii) Identify the problems and correct them. Each situation may involve more than one, but not more than two problems.

(f) Given a properly functioning infusion on a practice arm during practical exercise, demonstrate the technique for removal of an air bubble from the administration set. The demonstration will be considered successful if the bubble is entirely removed in two consecutive attempts.

(g) Given an over-the-needle device properly initiated in a practice arm, a 25cc syringe and three rubber-topped sample collecting tubes, demonstrate the procedure for collecting blood samples.

(h) Given a 500 ml. bottle of IV fluid, a 500 ml. or 1000 ml. flexible bag of IV fluid and administration set, demonstrate how to properly set up an intravenous set using aseptic techniques.

(5) After attending the lecture and demonstrations and given an opportunity to practice the involved skills, the students will be able to correctly perform each of the skill standards in the presence of the instructor and without the use of notes, diagrams or charts. Correct performance will be defined by the instructor during the lecture and demonstration sessions. The student will be given no more than three attempts to successfully perform each of the required steps in the proper sequence.

(6) To maintain a qualification in this skill during the first two years following certification, the certified individual ((provider must)) shall perform a minimum of ((five)) thirty-six catheter-around-needle insertions on sick, injured, or postoperative patients ((in a month, averaged)) over a ((minety-day)) twelve-month period((, during the first year following certification)). In ((the second and)) subsequent ((years following)) certification periods certified, the ((performance frequency)) individual shall ((be at least three insertions per month)) demonstrate proficiency to the satisfaction of the EMS medical program director as required under WAC 248-15-025 (2)(e). In addition, the certified individual ((provider)) shall maintain a minimum of fifteen hours of approved continuing medical education each year.

(7) Standards for IV therapy technician correspond to Module I, II, and III, department of transportation curriculum reference.

#### AMENDATORY SECTION (Amending Order 1718, filed 11/12/81)

**WAC 248-15-050 PHYSICIAN'S TRAINED MOBILE AIR-WAY MANAGEMENT TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS.** (1) Meet requirements of WAC 248-15-030.

- (2) Respiratory system:

(a) Anatomy and physiology of the respiratory system:

(i) Demonstrate a knowledge of all the components and functions of the anatomy of the upper respiratory tract;

(ii) Demonstrate a knowledge of all the components and functions of the anatomy of the lower respiratory tract;

(iii) Demonstrate a knowledge of the role of the muscles that are primarily involved in respiration;

(iv) Describe at least five causes of change in respiratory rate;

(v) Outline and describe the nervous system as it relates to the respiratory center and to respiratory function;

(vi) Demonstrate a knowledge of normal and abnormal blood gas values and their effect on blood pH and respiratory activity.

- (b) Pathophysiology and management of respiratory problems:

(i) Identify those medical problems which may cause acute respiratory insufficiency;

(ii) Demonstrate a knowledge of those trauma related problems that may cause acute respiratory insufficiency;

(iii) Demonstrate a knowledge of the procedures required to give appropriate treatment in the management of the respiratory arrest patient;

(iv) Given a list of causes of upper airway obstruction, describe those causes which are most common and describe the techniques required to relieve airway obstruction;

(v) Demonstrate an understanding of the general characteristics, causes and treatment for the following respiratory problems:

- (A) Asthma
- (B) Chronic lung disease
- (C) Emphysema
- (D) Chronic obstructive pulmonary disease (COPD)
- (E) Respiratory burns
- (F) Inhaled toxic gases
- (G) Drowning;

(vi) Demonstrate a knowledge of the following clinical presentations:

- (A) Rhonchi
- (B) Rales
- (C) Pulmonary edema
- (D) Upper respiratory edema
- (E) Absence of gag reflex;

(vii) Identify and appropriately treat the drowning victim and the near-drowning victim in both fresh and salt water, describe the physiological differences based on the type of water composition. List the differences in the treatment of the respective patients;

(viii) Demonstrate a working knowledge of IPPB;

(ix) Demonstrate an ability to properly treat the patient with pulmonary edema;

(x) Demonstrate a knowledge and familiarization of the various normal and abnormal breath sounds heard upon auscultation;

(xi) Demonstrate a knowledge of hypoventilation and its causes, clinical manifestations and treatment;

(xii) Demonstrate a knowledge of respiratory problems resulting from fractured ribs;

(xiii) Demonstrate knowledge of the definitions, symptoms and treatment procedures used in the management of:

- (A) Flail chest
- (B) Simple pneumothorax
- (C) Tension pneumothorax
- (D) Sucking chest wound
- (E) Hemothorax.

(c) Techniques of management:

(i) Demonstrate a knowledge of oxygen delivery, oxygen adjuncts and oxygen delivery methods and the advantages and disadvantages of each delivery method;

(ii) Identify the potential complications in the administration of oxygen and of oxygen's toxic effects;

(iii) Demonstrate a thorough knowledge of laryngoscopy and endotracheal intubation;

(iv) Demonstrate a knowledge of esophageal obturation airway methods;

(v) Demonstrate an understanding of the purpose, indications and methods of thoracic decompression;

(vi) Identify the indications, equipment (including cricothyrotomes) and methods of performing cricothyroidotomy.

(3) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's school of medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural step(s) presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(4) The skills standards required of physician's trained mobile airway management technicians shall consist of the following minimum requirements or equivalent.

(5) Aids to ventilation:

(a) Endotracheal intubation:

(i) Given an adult and/or an infant intubation manikin, laryngoscope, assorted curved and straight blades, endotracheal tube,

lubrication jelly, syringe, hemostat, bag-valve unit, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(ii) Given an anesthetized patient in a clinical or operating room setting or a human cadaver and laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, appropriate forceps, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds consistently. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(iii) Given an adult intubation manikin, laryngoscope, assorted curved and straight blades, and appropriate forceps, the student will be able to demonstrate the technique of direct laryngoscopy for removal of a foreign body;

(iv) Given a suction device, sterile catheters, a container of water, sterile gloves and a patient or manikin with endotracheal tube in place, the student will be able to demonstrate aseptic atraumatic orotracheal and endotracheal suctioning technique;

(v) To maintain a qualification in this skill, the certified individual ((provider)) must perform a minimum of ((one)) twelve endotracheal intubation ((per month, averaged)) over a ((ninety-day)) twelve-month period(( )) on human subjects. In subsequent certification periods, the certified individual shall perform a minimum of four endotracheal intubations in a twelve-month period. In addition, the certified individual ((provider)) shall maintain a minimum of fifteen hours of approved continuing medical education each year. ((Subjects may be anesthetized patients, patients seen in actual emergencies or human cadavers\*))

(b) (Optional) Esophageal obturation:

(i) Given an adult intubation manikin, an esophageal obturator airway, 30cc syringe, and bag-valve unit, demonstrate the technique for the insertion of an esophageal obturator airway;

(ii) Demonstrate the method to assess correct placement of the obturator and properly obtain a mask seal and ventilate the patient;

(iii) Demonstrate endotracheal intubation with the esophageal obturator in place and subsequent removal of the obturator;

(iv) To maintain a qualification in this skill, users of the esophageal obturator airway must have a refresher training under the direct supervision of a physician every ninety days. Refresher training shall be accomplished on an intubation manikin or human cadaver. The advanced life support system which prefers to follow the optional training program and use the esophageal obturator in the field must also train the student in the use of endotracheal intubation. Skill maintenance standards may be maintained in either endotracheal intubation or the obturator airway.

(c) Other adjuncts to airway management:

(i) Given a fellow student as a patient, demonstrate the procedure for the preparation of the oxygen system and the administration of oxygen to a breathing patient using:

- (A) Nasal cannula
- (B) Partial rebreather mask
- (C) Venturi mask
- (D) (Optional) Demand valve unit;

(ii) Given an adult manikin, oro and nasopharyngeal airways, pocket mask, oxygen cylinder and bag-valve mask, demonstrate the procedure for administering intermittent positive ventilation using:

- (A) Pocket mask
- (B) Bag-valve mask
- (C) Bag-valve mask with oxygen
- (D) Oropharyngeal airway with bag-valve mask;

(iii) Given a bag-valve mask, demonstrate the assembly, disassembly and cleaning of the bag-valve mask unit;

(iv) Given a prepared animal or cadaver, a twelve or fourteen gauge venous catheterization set or an approved style one-way valve, demonstrate the technique for chest decompression;

(v) (Optional) Given an adult manikin, an oropharyngeal airway and a demand valve unit, demonstrate the procedure for performing intermittent positive pressure ventilation;

(vi) (Optional) Given a demand valve unit, demonstrate the assembly, disassembly and cleaning of the demand valve unit;

(vii) (Optional) Given an animal or cadaver with an obstructed upper airway, and a cricothyrotome or cricothyroidotomy set with scalpel, the student will demonstrate the procedure for performing a cricothyroidotomy.

(6) Standards for physician trained mobile airway management technicians compare to Module I, II and IV, department of transportation curriculum reference.

(\*Human cadavers may be used not to exceed one per ninety days.)

**WSR 89-01-090  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- Amd WAC 388-70-640 Local Indian child welfare advisory committee—Confidentiality.  
 Amd WAC 388-73-044 Special requirements regarding American Indians;

that the agency will at 10:00 a.m., Tuesday, January 24, 1989, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 25, 1989.

The authority under which these rules are proposed is RCW 74.15.030.

The specific statute these rules are intended to implement is RCW 74.15.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Troyce Warner  
Office of Issuances  
Department of Social and Health Services  
Mailstop OB-33H  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 10, 1989. The meeting site is in a location which is barrier free.

Dated: December 19, 1988  
By: Leslie F. James, Director  
Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.  
Re: Amending WAC 388-70-640 and 388-73-044.

Its purpose is to bring the department into compliance with RCW 26.44.030 and Public Law 95-608.

Reasons These Rules are Necessary: To require private agencies to comply with the Federal Indian Child Welfare Act.

Statutory Authority: RCW 74.15.030.

This rule change deletes a requirement for obtaining parental consent to review Indian child welfare services (CWS) cases with the Local Indian child welfare advisory committee (LICWAC). It also changes the minimum licensing requirements for licensed/certified agencies to be consistent with federal law.

Initiator: Marvin Napoleon, CSPM I, Division of Children and Family Services, phone 234-4618 scan, mailstop OB-41.

Person or Organization who Proposed These Rules: Indian representatives on the negotiating team for the tribal/state agreement. It is an interim measure until formal rules are developed as a result of implementing the agreement.

The rules are necessary as a result of federal law, Federal Indian Child Welfare Act.

**AMENDATORY SECTION** (Amending Order 1167, filed 10/27/76)

WAC 388-70-640 LOCAL INDIAN CHILD WELFARE ADVISORY COMMITTEE—CONFIDENTIALITY. ((1)) Prior to review or participation in any specific case which will involve access to records protected by confidentiality statutes or rules, the necessary and appropriate consents shall be obtained. Each regional administrator and local Indian child welfare committee shall develop mutually agreeable procedures for describing to the Indian child, parent, guardian or court of jurisdiction the role of the Indian advisory committee in review of their individual situations and for receiving their approval of such review. The emphasis shall be on the development of communications procedures which are positive and relevant to the Indian people.

((2))) The members of the local child welfare advisory committee shall agree to abide by RCW 74.04.060 and the rules of confidentiality binding the DSHS staff.

**AMENDATORY SECTION** (Amending Order 1703, filed 9/25/81)

WAC 388-73-044 SPECIAL REQUIREMENTS REGARDING AMERICAN INDIANS. (1) Implementation of the licensing statute will recognize the unique tribal, cultural and religious sovereignty of Indian nations, tribes and communities. The licensing of a child care agency on sovereign Indian soil shall in no way abridge the sovereignty of an Indian nation nor shall compliance with these rules and regulations be deemed to be a relinquishment of sovereign authority.

(2) For the purposes of these rules, the term "Indian" includes the following groups:

- (a) An enrolled Indian:
  - (i) Any person who is enrolled or eligible for enrollment in a recognized tribe.
  - (ii) Any person determined, or eligible to be found, to be an Indian by the secretary of the interior.
  - (iii) An Eskimo, Aleut or other Alaskan native.
- (b) A Canadian Indian: Any person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.

(c) An unenrolled Indian: A person considered to be an Indian by a federally or nonfederally recognized Indian tribe or urban Indian/Alaskan native community organization.

(3) Prior to planning, development, and delivery of social services to Indian children and families, agencies shall:((:

((a))) obtain a written statement from the parent or Indian custodian regarding the preference of child placement((;

((b)) Obtain a written statement from the parent or Indian custodian regarding the utilization of the DSHS LICWAC)).

(4) When an agency has an Indian child in its caseload, the agency shall develop social service resources and staff training programs designed to meet the special needs of such children through coordination with tribal, Indian Health Service and Bureau of Indian Affairs social service staff and appropriate urban Indian and Alaskan native consultants.

(5) In addition to reports required by WAC 388-73-056, an agency shall report to a child's tribal council the serious injury or death or abandonment of an enrolled Indian child or an Indian child eligible for enrollment.

(6) In planning foster care and adoptive placements for Indian children, agencies shall give consideration ((shall be given)) in the following order:

- (a) Relatives;
- (b) An Indian family of the same tribe as the child;
- (c) An Indian family of a Washington Indian tribe of a similar culture to that tribe;
- (d) Any other family which can provide a suitable home for an Indian child, such suitability to be determined through consultation with a local Indian child welfare advisory committee.

(7) When foster care or adoptive placement of a nonenrolled Indian child is planned, agencies shall compile the Portland area office of the bureau of Indian affairs' form "family ancestry chart," or appropriate equivalent((, shall be compiled)). Agencies shall take appropriate steps ((shall be taken)) to enroll eligible children in their respective tribes.

(8) ((Unless contrary to the wishes of a child and/or his parent(s).)) Agencies serving Indian children shall make efforts to recruit facilities and/or homes particularly capable of meeting the special needs of such children. Indian children shall be placed ((preferably)) preferentially in Indian foster homes ((or)). Indian children can be placed in non-Indian foster homes specifically recruited and trained to meet the special needs of Indian foster children only with the consent of the LICWAC or the child's tribe for a four-month period in a particular non-Indian home. Each such placement shall only be extended by the consent of the LICWAC or the child's tribe on a month-by-month basis.

(9) When an agency has an Indian child in its caseload, the agency shall have a written policy and procedures statement on legal practices which shall reflect the rights of Indian children and families based upon their unique social-legal status guaranteed by treaty and federal law.

(10) If not contrary to the wishes of a child and/or his parent(s), in the adoptive placement of Indian children adoptive homes having the following characteristics agencies shall ((be given)) give preference in the following order:

(a) An Indian family of the same tribe as the child within thirty days from the time the child is determined to be legally and otherwise ready for adoptive planning.

(b) Within an additional thirty days, a Washington Indian family; considering first a family of similar cultural background, for example, eastern or western Washington.

(c) Within an additional thirty days, an Indian family from elsewhere in the United States or Canada, through the Adoption Resource Exchange of North America, or other recognized adoption agency outside of Washington state. Attention shall be given to matching the child to an Indian family whose culture is similar to that of his natural parents, such as, Coastal, Plateau, Plains, Southwest, Woodland.

(d) Any other family who can provide a suitable home to an Indian child, as well as instill pride and understanding in the child's tribal and cultural heritage. ((See also (c) of this subsection)) Such placements shall only be made with the consent of the LICWAC or the child's tribe and only for four months in a particular non-Indian foster home. Each such placement shall only be extended by the consent of the LICWAC or the child's tribe on a month-by-month basis.

(11) All agencies shall:

(a) ((Shall utilize the DSHS brochure, DSHS 22-195(X), as a manner of obtaining client consent for review by the DSHS local Indian child welfare advisory committee (LICWAC).)

((t)) (b) ((Shall)) Utilize the LICWAC ((or regional Indian consultant)) on case planning, development and service delivery((:));

((t)) (c) ((Shall)) Utilize the LICWAC ((or regional Indian consultant)) to assist in the recruitment of appropriate tribal and urban Indian foster care and adoptive homes for Indian children(:);

((t)) (d) ((Shall)) Utilize the LICWAC ((or regional Indian consultant)) in the development and provision of staff training(:);

((t)) (d) ((Shall)) Complete a "Verification of American Indian status" form for each family applying for foster care or adoptive care of Indian children. The verification form ((must)) shall be complete and on file, with review and approval by the LICWAC, prior to placement. When Indian homes are not available, agencies shall place Indian children ((shall be placed, in cooperation)) with the consent of LICWAC((:)) or the child's tribe and for a four-month period in a particular non-Indian home((s)) specifically recruited and trained to meet the special needs of Indian children. Each such placement shall only be extended by the consent of LICWAC or the child's tribe on a month-by-month basis; and

(e) Comply with all requirements of the Federal Indian Child Welfare Act, 25USC1901, et. seq, and all requirements of state laws pertaining to foster care, guardianship, termination, or adoption proceedings involving Indian children.

**WSR 89-01-091**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

New WAC 388-76-080 Multiple facility ownership.  
Amd WAC 388-76-170 Sponsors' outside employment;

that the agency will at 10:00 a.m., Tuesday, January 24, 1989, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 25, 1989.

The authority under which these rules are proposed is RCW 74.08.044.

The specific statute these rules are intended to implement is RCW 74.08.044.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Troyce Warner  
Office of Issuances  
Department of Social and Health Services  
Mailstop OB-33H  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 10, 1989. The meeting site is in a location which is barrier free.

Dated: December 19, 1988  
By: Leslie F. James, Director  
Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.025.

Re: WAC 388-76-080 Multiple facility ownership of adult family homes; and 388-76-170 Sponsor's resources.

WAC 388-76-080 will more clearly and forcefully state that multiple facility ownership of adult family homes (AFH) is illegal; and WAC 388-76-170 will eliminate the sponsor's requirement.

WAC 388-76-080, the department has decided that multiple ownership does not afford safe conditions for

AFH residents and, therefore, is an unacceptable arrangement; and WAC 388-76-170, to require sponsors to have other income requires that they work outside the home. This conflicts with their care giving activities; most sponsors rely upon their AFH sponsorship income for their livelihood; and by asking for detailed income information from sponsors, we may be violating their civil rights.

**Statutory Authority:** Chapter 74.15 RCW and RCW 74.08.044.

**Summary of the Rule Change:** WAC 388-76-080, no sponsor may operate more than one adult family home at one time; and WAC 388-76-170, to eliminate the sponsor's resources requirement.

**Person Responsible for Drafting, Implementation and Enforcement of the Rule:** Lew Maudsley, Adult Family Home Program Manager, Aging and Adult Services Administration, phone 753-1776 or 234-1776 scan, mailstop HB-11.

**Organization that Proposed this Change:** The aging and adult services administration, DSHS.

These rules are not necessary as a result of federal law, federal court decision or state court decision.

#### NEW SECTION

**WAC 388-76-080 MULTIPLE FACILITY OWNERSHIP..** No sponsor shall be licensed to operate more than one adult family home concurrently. An individual shall not be employed by a corporation partnership, or individual to operate an adult family home. Being employed by someone to operate an adult family home shall be grounds for denial, suspension, or revocation of that application or license and all associated applications and licenses. Exceptions may be authorized by the department for good cause.

#### AMENDATORY SECTION (Amending Order 2319, filed 12/18/85)

**WAC 388-76-170 SPONSORS' ((RESOURCES)) OUTSIDE EMPLOYMENT.** ((The sponsor or sponsors shall have sufficient resources to maintain their own family and home without the payments made for the persons in care:)) If both sponsors in a two-sponsor home or the single sponsor in a one-sponsor home are employed outside the home, the department must give written approval for placement there. Approval will be based on justification that the sponsor will be able to provide adequate twenty-four-hour care to the residents.

**WSR 89-01-092  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 2739—Filed December 21, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-70-640 Local Indian child welfare advisory committee—Confidentiality.

Amd WAC 388-73-044 Special requirements regarding American Indians.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary

to public interest. A statement of the facts constituting the emergency is these rules are necessary to require private agencies to comply with the Federal Indian Child Welfare Act.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.15.030.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 19, 1988.

By Leslie F. James, Director  
Administrative Services

#### AMENDATORY SECTION (Amending Order 1167, filed 10/27/76)

**WAC 388-70-640 LOCAL INDIAN CHILD WELFARE ADVISORY COMMITTEE—CONFIDENTIALITY.** ((1) Prior to review or participation in any specific case which will involve access to records protected by confidentiality statutes or rules, the necessary and appropriate consents shall be obtained. Each regional administrator and local Indian child welfare committee shall develop mutually agreeable procedures for describing to the Indian child, parent, guardian or court of jurisdiction the role of the Indian advisory committee in review of their individual situations and for receiving their approval of such review. The emphasis shall be on the development of communications procedures which are positive and relevant to the Indian people.

((2))) The members of the local child welfare advisory committee shall agree to abide by RCW 74.04.060 and the rules of confidentiality binding the DSHS staff.

#### AMENDATORY SECTION (Amending Order 1703, filed 9/25/81)

**WAC 388-73-044 SPECIAL REQUIREMENTS REGARDING AMERICAN INDIANS.** (1) Implementation of the licensing statute will recognize the unique tribal, cultural and religious sovereignty of Indian nations, tribes and communities. The licensing of a child care agency on sovereign Indian soil shall in no way abridge the sovereignty of an Indian nation nor shall compliance with these rules and regulations be deemed to be a relinquishment of sovereign authority.

(2) For the purposes of these rules, the term "Indian" includes the following groups:

(a) An enrolled Indian:

(i) Any person who is enrolled or eligible for enrollment in a recognized tribe.

(ii) Any person determined, or eligible to be found, to be an Indian by the secretary of the interior.

(iii) An Eskimo, Aleut or other Alaskan native.

(b) A Canadian Indian: Any person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.

(c) An unenrolled Indian: A person considered to be an Indian by a federally or nonfederally recognized Indian tribe or urban Indian/Alaskan native community organization.

(3) Prior to planning, development, and delivery of social services to Indian children and families, agencies shall((:))

(a)) obtain a written statement from the parent or Indian custodian regarding the preference of child placement((:));

(b) Obtain a written statement from the parent or Indian custodian regarding the utilization of the DS~~S~~ LICWAC)).

(4) When an agency has an Indian child in its caseload, the agency shall develop social service resources and staff training programs designed to meet the special needs of such children through coordination with tribal, Indian Health Service and Bureau of Indian Affairs social service staff and appropriate urban Indian and Alaskan native consultants.

(5) In addition to reports required by WAC 388-73-056, an agency shall report to a child's tribal council the serious injury or death or abandonment of an enrolled Indian child or an Indian child eligible for enrollment.

(6) In planning foster care and adoptive placements for Indian children, agencies shall give consideration ((shall be given)) in the following order:

(a) Relatives;

(b) An Indian family of the same tribe as the child;

(c) An Indian family of a Washington Indian tribe of a similar culture to that tribe;

(d) Any other family which can provide a suitable home for an Indian child, such suitability to be determined through consultation with a local Indian child welfare advisory committee.

(7) When foster care or adoptive placement of a non-enrolled Indian child is planned, agencies shall compile the Portland area office of the bureau of Indian affairs' form "family ancestry chart," or appropriate equivalent((, shall be compiled)). Agencies shall take appropriate steps ((shall be taken)) to enroll eligible children in their respective tribes.

(8) ((Unless contrary to the wishes of a child and/or his parent(s),)) Agencies serving Indian children shall make efforts to recruit facilities and/or homes particularly capable of meeting the special needs of such children. Indian children shall be placed ((preferably)) preferentially in Indian foster homes ((or)). Indian children can be placed in non-Indian foster homes specifically recruited and trained to meet the special needs of Indian foster children only with the consent of the LICWAC or the child's tribe for a four-month period in a particular non-Indian home. Each such placement shall only be extended by the consent of the LICWAC or the child's tribe on a month-by-month basis.

(9) When an agency has an Indian child in its caseload, the agency shall have a written policy and procedures statement on legal practices which shall reflect the rights of Indian children and families based upon their unique social-legal status guaranteed by treaty and federal law.

(10) If not contrary to the wishes of a child and/or his parent(s), in the adoptive placement of Indian children adoptive homes having the following characteristics agencies shall ((be given)) give preference in the following order:

(a) An Indian family of the same tribe as the child within thirty days from the time the child is determined to be legally and otherwise ready for adoptive planning.

(b) Within an additional thirty days, a Washington Indian family, considering first a family of similar cultural background, for example, eastern or western Washington.

(c) Within an additional thirty days, an Indian family from elsewhere in the United States or Canada, through the Adoption Resource Exchange of North America, or other recognized adoption agency outside of Washington state. Attention shall be given to matching the child to an Indian family whose culture is similar to that of his natural parents, such as, Coastal, Plateau, Plains, Southwest, Woodland.

(d) Any other family who can provide a suitable home to an Indian child, as well as instill pride and understanding in the child's tribal and cultural heritage. ((See also (c) of this subsection)) Such placements shall only be made with the consent of the LICWAC or the child's tribe and only for four months in a particular non-Indian foster home. Each such placement shall only be extended by the consent of the LICWAC or the child's tribe on a month-by-month basis.

(11) All agencies shall:

(a) ((Shall utilize the DS~~S~~ brochure, DS~~S~~ 22-195(X), as a manner of obtaining client consent for review by the DS~~S~~ local Indian child welfare advisory committee (LICWAC).))

((b))) (b) ((Shall)) Consult with the LICWAC ((or regional Indian consultant)) on case planning, development and service delivery((:));

((c))) (b) ((Shall)) Utilize the LICWAC ((or regional Indian consultant)) to assist in the recruitment of appropriate tribal and urban Indian foster care and adoptive homes for Indian children((:));

((d))) (c) ((Shall)) Utilize the LICWAC ((or regional Indian consultant)) in the development and provision of staff training((:));

((e))) (d) ((Shall)) Complete a "Verification of American Indian status" form for each family applying for foster care or adoptive care of Indian children. The verification form ((must)) shall be complete and on file, with review and approval by the LICWAC, prior to placement. When Indian homes are not available, agencies shall place Indian children ((shall be placed, in cooperation)) with the consent of LICWAC((s)) or the child's tribe and for a four-month period in a particular non-Indian home((s)) specifically recruited and trained to meet the special needs of Indian children. Each such placement shall only be extended by the consent of LICWAC or the child's tribe on a month-by-month basis; and

((e))) (e) Comply with all requirements of the Federal Indian Child Welfare Act, 25 USC 1901, et. seq., and all requirements of state laws pertaining to foster care,

guardianship, termination, or adoption proceedings involving Indian children.

**WSR 89-01-093**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Order 2740—Filed December 21, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-40-080 ADATSA assessment centers—Role.  
Amd WAC 388-40-100 ADATSA shelter services.

This action is taken pursuant to Notice No. WSR 88-21-037 filed with the code reviser on October 12, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 19, 1988.

By Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2635, filed 6/21/88)

**WAC 388-40-080 ADATSA ASSESSMENT CENTERS—ROLE.** (1) ADATSA assessment centers shall:

(a) Be responsible for diagnostic evaluation and placement; ((they shall)) and

(b) Not be responsible for providing direct treatment.

(2) The assessment center shall, in accordance with standards set forth ((in)) under chapter 275-19 WAC ((275-19-185)), conduct a face-to-face diagnostic assessment of the applicant to:

(a) Determine incapacity based on alcoholism or drug addiction; and

(b) Determine whether the incapacitated applicant is willing and able to undergo a course of treatment or desires shelter or medical assistance only.

(3) Once the applicant's financial and medical eligibility is established, the assessment center shall:

(a) Arrange all placements into treatment and/or shelter facilities;

(b) Provide the applicant with written notification of the applicant's right to return to the CSO at any time while receiving ADATSA treatment or shelter assistance. This includes, but is not limited to, those situations where the ADATSA recipient is discharged from any

inpatient, recovery house, outpatient, or shelter facility providing services under contract to the department;

(c) Provide the applicant with written notification of the applicant's right to request a fair hearing to challenge any action which affects eligibility for ADATSA treatment or shelter assistance;

(d) Provide ongoing case monitoring of treatment and/or shelter services; and

((e))) (e) Notify the community services office promptly of all placement or eligibility status changes.

**AMENDATORY SECTION** (Amending Order 2635, filed 6/21/88)

**WAC 388-40-100 ADATSA SHELTER SERVICES.** (1) The department shall provide shelter services to eligible ADATSA applicants/recipients:

(a) Who refuse treatment; or

(b) Who have exhausted their six months of treatment in a twenty-four month period; or

(c) Who are in temporary need of shelter pending placement into a treatment facility.

((("Shelter services" or "shelter assistance" means shelter for ADATSA recipients in a facility under contract with the department to provide room and board in a supervised living arrangement, normally in a group or dormitory setting. The department shall limit ADATSA shelter services to shelter assistance in these contracted facilities unless the recipient meets the criteria described in subsections (3) and (4) of this section))) Eligible applicants/recipients wishing shelter services shall have their choice of:

(a) Placement by the assessment center into a department-contracted shelter facility which provides room and board; or

(b) A shelter assistance payment, through a protective payee, for independent housing and basic needs.

((The department shall provide shelter assistance for independent housing and basic needs through a protective payee or vendor payment for any ADATSA recipient who is in one or more of the following circumstances:

(a) Recipients wishing treatment, but who are on waiting lists for placement, may receive temporary shelter assistance in independent housing until the scheduled date of admittance into treatment. The department shall compute the amount of this temporary assistance by prorating the monthly payment standard by the actual number of days of assistance needed prior to placement. Recipients failing to appear for the scheduled treatment shall not be eligible for further "waiting list" assistance for a period of one year.

(b) Recipients living in counties where no contracted shelter beds are available may receive shelter assistance in their own housing arrangement until shelter beds become available.

(c) Recipients who have been continuously eligible for and have been receiving assistance under the general assistance-unemployable program since July 25, 1987, who transfer to ADATSA after March 21, 1988, may receive shelter assistance to continue in their present living situation.

((4))) The department shall provide assistance for independent housing only to recipients who will be residing in a permanent residential structure. These recipients must also have a deed of purchase, rental agreement, or other verifiable written agreement between themselves and the person or entity to whom they are obligated for shelter costs or from whom they are receiving supplied shelter.

((5))) (4) The department shall base the amount of assistance for independent housing and basic needs on the appropriate payment standard in WAC 388-29-100 (3)(a) or (b). For recipients in a contracted shelter facility, the department shall provide an allowance for clothing and personal incidentals based on the standard in WAC 388-29-130.

((6))) (5) Recipients receiving contracted shelter services who subsequently leave shelter without notice for more than seventy-two hours, or are ((disciplinarily)) discharged from the facility for disciplinary reasons, shall be subject to termination. ((a))) Upon reapplication and/or re-referral, the assessment center shall again offer treatment and/or shelter as appropriate. ((If the applicant/recipient is ineligible for or refuses treatment, the assessment center shall offer another shelter placement if available. "Available" shelter for purposes of this section shall mean the existence of vacant shelter beds within the county, it shall not refer to whether or not a particular person is accepted or rejected from a facility based on a prior disciplinary record.))

(i) As long as there are vacant shelter beds in the county, even though the shelter or shelters may refuse to accept the applicant/recipient, the applicant/recipient shall be ineligible for any financial assistance.

(ii) If there are no vacant shelter beds within the county, the applicant/recipient shall be eligible for shelter assistance in independent housing through a protective payee.

(b) Applicants/recipients who are denied shelter assistance under the provisions of this subsection shall be ineligible for ADATSA financial assistance until they accept treatment or can be placed into a vacant shelter bed. These applicants/recipients may receive ADATSA medical assistance as long as all other eligibility factors are met.))

filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 19, 1988.

By Leslie F. James, Director  
Administrative Services

#### AMENDATORY SECTION (Amending Order 2538, filed 9/17/87)

WAC 388-28-500 ((USE OF INCOME AND INCOME POTENTIALS COMPUTING AND)) ALLOCATING INCOME. (1) ((Living arrangements, family relationships, and categories of assistance also affect the use of income in computing financial need as provided by the rules in this section.))

((2) Except as provided in this subsection,)) The department shall attribute nonexempt net income ((of a person in his or her own home shall be attributed)) to the assistance unit of which ((he or she)) the person is a member((-)), except:

(a) Families with two or more assistance units. The department shall equally divide the total nonexempt net community income ((of a family having two or more eligible assistance units shall be divided equally)), including income in-kind, between the assistance units unless:

(i) The family prefers some other division ((is preferred. An unequal)); and

(ii) The preferred division ((of the family income is not permitted if it increases)) does not increase the total amount of assistance ((t)), excluding medical care((t) to which the family would be entitled)).

(b) Applicant with a nonapplying ((independent)) spouse. The department shall consider:

(i) ((If all)) At least half of the total community income ((is from community property or from community earnings other than wages, not less than one-half the total income shall be considered)), including income in-kind, available to an AFDC applicant living with a nonapplying spouse((-));

(ii) Net income from wages, retirement benefits, or ((from the)) separate property of the nonapplying spouse ((shall be considered)) available to the applicant ((only)) to the extent the net income exceeds ((the amount of the nonapplying spouse's appropriate)) a one-person payment level((-));

(iii) Wages or income from separate property of the applicant ((shall be considered)) as provided in WAC 388-28-365 and 388-28-370(:

((iv)) When income includes both community income and income from the separate property or from wages of the nonapplying spouse, at least half of the community income shall be considered available to the applicant, plus any residue of the separate income or wages exceeding the amount of the appropriate one-person payment level of the nonapplying spouse.

WSR 89-01-094

ADOPTED RULES

DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 2741—Filed December 21, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to allocating income, amending WAC 388-28-500.

This action is taken pursuant to Notice No. WSR 88-21-035 filed with the code reviser on October 12, 1988. These rules shall take effect thirty days after they are

(v) Retirement benefits shall be treated like wages.  
 (vi) Income in-kind shall be treated as community income)).

(c) ((Exempted)) Nonexempt income. The department shall not use exempt income ((shall not be used)) in computing the need of any assistance unit((:));

(d) ((For)) Nonrelated adults in household. The department shall follow rules ((on)) in WAC 388-28-355 for nonrelated adults in the household((, see WAC 388-28-355)).

((3)) (2) The department shall apply the rules in subsection ((2)) (1) of this section ((shall also apply)) to a person ((boarding and/or rooming)) in an adult family home or other nonmedical institution.

((4)) (3) The ((income of a)) department shall consider as available to the minor parent('s), income from nonapplying parent ((or parents)) or legal ((guardian or)) guardians ((legally responsible for the support of such minor parent as specified in WAC 388-24-550(8), if residing in the same household, shall be considered as available to the assistance unit of such minor parent and such minor's child or children to the extent such income exceeds applicable disregards)) with court order support responsibility. ((This subsection applies to))

(a) "Minor ((parents)) parent" means a person who:

(i) Is seventeen years of age ((and under whether or not such parents are married)) or ((otherwise meet the criteria in WAC 388-24-550(4). In counting such income)) younger; and

(ii) Resides in the same household with an adult responsible for the minor parent's support.

(b) To determine the amount available to the minor parent, the ((following)) department shall ((be disregarded)) disregard:

((a)) (i) Seventy-five dollars per month for each employed parent or legal guardian((, the following amounts for work expenses depending upon the number of hours worked per month:

Hours worked per month	Work expense disregard
0—40	\$ 20.00
41—80	\$ 40.00
81—120	\$ 60.00
+21 or more	\$ 75.00));

((b)) (ii) An amount equal to the need standard ((as specified)) in WAC 388-29-100 for ((a group with)) the following ((members)):

((i)) (A) The ((parent or)) parents or legal ((guardian or)) guardians ((living)) residing in the home; and

((ii)) (B) ((Any other individuals)) Others living in the home but not in the assistance unit((, and are or)) who could be claimed ((by the parent or parents or legal guardian or guardians)) as dependents ((for purposes of determining his or her)) on the parents' or legal guardians' federal income tax ((liability)) return.

((c)) (iii) ((The amount paid)) Payments by the ((parent or)) parents or legal ((guardian or)) guardians to ((support individuals)) persons outside the home who could be claimed ((by him or her)) as dependents ((for the purpose of determining his or her)) on the parents'

or legal guardians' federal income tax ((liability)) return; and

((d)) (iv) Child support or alimony payments by the ((parent or)) parents or legal ((guardian or)) guardians ((of child support or alimony)) to ((individuals)) persons outside the home.

((f)) (4) When a ((person)) recipient in a medical institution ((is to receive)), alcohol/drug treatment center, or congregate care facility receives an AFDC or a continuing general assistance grant, ((family income)) the department shall ((be allocated)) allocate income as follows:

(a) First to the appropriate payment level of legal dependents ((computed according to standards)) in chapter 388-29 WAC; and

(b) Then to the ((maintenance)) needs of the ((individual computed)) recipient according to WAC 388-34-045, 388-34-085, 388-34-110, 388-34-120, or 388-34-378.

((g)) The income of a person with other living arrangements is first applied to the grant requirements of the applicant and his or her dependents. Any remaining income shall be allocated for medical needs.)

**WSR 89-01-095  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**  
[Order 2742—Filed December 21, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home accounting and reimbursement system, amending chapter 388-96 WAC.

This action is taken pursuant to Notice No. WSR 88-21-039 filed with the code reviser on October 12, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.09.180 and 74.46.800 which directs that the Department of Social and Health Services has authority to implement the provisions of chapters 74.09 and 74.46 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 20, 1988.

By Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2025, filed 9/16/83)

**WAC 388-96-026 PROJECTED BUDGET FOR NEW CONTRACTORS.** (1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract ((will become)) becomes

effective. For purposes of this section, the department shall consider a "new contractor" ((is)) as one which:

- (a) Operates a new facility;
- (b) Acquires or assumes responsibility for operating an existing facility;
- (c) Enters the cost-related reimbursement system after providing service at the nursing home in the past, but either not under the program or receiving flat-or class-rate reimbursement; or
- (d) Obtains a certificate of need approval due to an addition to or renovation of a facility.

(2) The projected budget shall:

(a) Cover the twelve months immediately following the date the contractor ((will enter)) enters the program((. It shall));

(b) Be certified by the new contractor;

(c) Be prepared on forms and in accordance with instructions provided by the department; and ((shall))

(d) Include all earnest money, purchase, and lease agreements involved in the transaction.

(3) A new contractor shall submit, at least sixty days before the effective date of the contract, a statement disclosing the identity of individuals or organizations who:

(a) Have a beneficial ownership interest in the current operating entity or ((in)) the land, building, or equipment of the facility ((and the identity of individuals or organizations who)); or

(b) Have a beneficial ownership interest in the purchasing or leasing entity.

#### AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

**WAC 388-96-107 REQUESTS FOR EXTENSIONS.** (1) ((The department may grant two extensions of up to thirty days each upon receipt of a written request at least ten days prior to the due date of the report)) A contractor may request in writing an extension for submitting cost reports. Contractor requests ((must)) shall:

(a) Be addressed to the ((director, bureau of nursing home affairs)) manager, ((and must)) residential rates program;

(b) State the circumstances prohibiting compliance with the report due date; and

(c) Be received by the department at least ten days prior to the due date of the report.

(2) The department may grant two extensions ((will be granted)) of up to thirty days each, only if the circumstances, stated clearly, indicate the due date cannot be met and the following conditions are present:

(a) The circumstances were not foreseeable by the provider; and

(b) The circumstances were not avoidable by advance planning.

#### AMENDATORY SECTION (Amending Order 2573, filed 12/23/87)

**WAC 388-96-533 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL.** (1) The department shall allow

costs of compensation for administrative personnel ((shall be an allowable cost)), subject to the limits promulgated pursuant to subsection (5) of this section.

(2) The department shall allow total compensation of the licensed administrator for services actually rendered to a nursing home on a full-time basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) ((shall be allowable)) at the lower of:

(a) Actual compensation received, or

(b) The amount in the table promulgated pursuant to subsection (5) of this section corresponding to the number of beds in the nursing home.

Compensation of the licensed administrator shall be allowable only if the department is given written notice of the administrator's employment within ten days after the employment begins.

(3) The department shall allow total compensation of not more than one full-time licensed assistant administrator ((shall be allowable)) if there are at least eighty beds in the nursing home, at the lower of:

(a) Actual compensation received, or

(b) Seventy-five percent of the appropriate amount in the table promulgated pursuant to subsection (5) of this section.

(4) The department shall allow total compensation of not more than one full-time registered administrator-in-training ((shall be allowable)) at the lower of:

(a) Actual compensation received, or

(b) Sixty percent of the appropriate amount in the table promulgated pursuant to subsection (5) of this section.

(5)

TABLE

#### Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year 1987

##### Bed Size

1 – 79	\$ 33,672
80 – 159	\$ 37,265
160 and up	\$ 39,615

(6) The department shall determine maximum total compensation for licensed administrators of nursing facilities in the various bed size categories in subsequent years based on tables to be issued annually in writing. For 1987 and subsequent years, tables shall reflect calendar year 1986 maximums increased by any inflation adjustment authorized by the legislature.

(7) If the licensed administrator, licensed assistant administrator, or registered administrator-in-training regularly work fewer than forty hours per week, ((allowable)) the department shall allow compensation ((shall be)) at the lower of:

(a) Actual compensation received, or

(b) The appropriate amount in the table promulgated ((pursuant to)) in subsection (5) of this section:

(i) Multiplied by the actual hours worked, plus reasonable vacation, holiday, and sick time normally available to employees working similar hours; and

(ii) Divided by forty hours per week for each week covered by the cost report. Further discounting is required if the person was not licensed or registered and/or worked for less than the entire report period.

(8) The contractor shall maintain time records which are adequate for audit for the licensed administrator, assistant administrator, and/or administrator-in-training. The contractor shall include in such records verification of the actual hours of service performed for the nursing home.

(9) The department shall limit total reimbursement for administrative and management services to allowable compensation for administrative personnel set forth in this section. The department shall apply this policy ((shall apply)) regardless of the provisions of any employment, management or consultation agreement, or other arrangement existing between the contractor and persons or organizations providing such services. The department shall further limit reimbursement for payroll taxes for administrative personnel to such taxes associated with allowable compensation only for administrative personnel as set forth in this section.

(10) The department shall not consider costs of an administrator-in-training for the purpose of setting the administration and operations prospective rate. The department shall reimburse the costs of an approved administrator-in-training program ((shall be reimbursed)) by an adjustment to current rate. To obtain an adjustment, the contractor shall submit a request for an increase in current rate together with necessary documentation which shall include:

(a) A copy of the department of licensing approval of the administrator-in-training program, and

(b) A schedule indicating the commencement date, expected termination date, salary or wage, hours, and costs of benefits. The contractor shall notify the department, at least thirty days in advance, of the actual termination date of the administrator-in-training program. Upon termination of the program, the department shall reduce the current rate by an amount corresponding to the cost of the program.

#### AMENDATORY SECTION (Amending Order 2485, filed 4/20/87)

**WAC 388-96-565 LIVES.** (1) The contractor shall use lives reflecting the estimated actual useful life of assets, for example, land improvements, buildings, equipment, leasehold improvements, and other assets((, and)). Lives shall be no shorter than guideline lives contained in the Internal Revenue Service class life ADR system or published by the American Hospital Association in computing allowable depreciation. The shortest building life ((which)) a contractor may ((be used for buildings)) use is thirty years, provided that, in cases of newly constructed buildings containing newly licensed nursing home beds, the shortest lives shall be the following for construction class as defined and described in the marshall valuation service published by the marshall swift publication company: A or B class—forty-five years; C class—thirty-five years; and D class—thirty years.

(2) The contractor shall measure lives ((shall be measured)) from the date on which the assets were first used in the medical care program or from the date of the most recent arm's-length acquisition by purchase of the asset, whichever is more recent. The contractor shall extend lives ((shall be extended)) to reflect periods, if any, during which assets were not used to provide nursing care or were not used in the medical care program.

(3) Contractors shall depreciate building improvements ((shall be depreciated)) over the remaining useful life of the building, as modified by the improvement, but not less than fifteen years.

(4) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement.

(5) A contractor may change the estimate of an asset's useful life to a longer life for purposes of depreciation.

#### AMENDATORY SECTION (Amending Order 2485, filed 4/20/87)

**WAC 388-96-585 UNALLOWABLE COSTS.** (1) The department shall not allow costs ((will be unallowable)) if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) ((Unallowable costs)) The department shall include, but ((are)) not ((limited)) limit unallowable costs to((;)) the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services ((will be unallowable)) even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution.

(b) Costs of services and items provided to SNF or ICF recipients which are covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC.

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure ((was not consistent)) inconsistent with applicable standards, criteria, or plans. If the contractor did not give the department ((was not given)) timely notice of a proposed capital expenditure, all associated costs ((will)) shall be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations.

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained.

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes or related to the part of a facility leased out for office space).

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care.

(g) Costs in excess of limits or violating principles set forth in this chapter.

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system.

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere.

(j) Bad debts. Beginning July 1, 1983, the department shall allow bad debts of Title XIX recipients ((are allowable)) only if:

(i) The debt is related to covered services(( ));

(ii) It arises from the recipient's required contribution toward the cost of care(( ));

(iii) The provider can establish reasonable collection efforts were made(( ));

(iv) The debt was actually uncollectible when claimed as worthless(( )); and

(v) Sound business judgment established there was no likelihood of recovery at any time in the future.

Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery. The department shall compensate a contractor for bad debts of Title XIX recipients at final settlement through the final settlement process only.

(k) Charity and courtesy allowances.

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Any portion of trade association dues attributable to legal and consultant fees and costs in connection with lawsuits or other legal action against the department shall be unallowable.

(m) Vending machine expenses.

(n) Expenses for barber or beautician services not included in routine care.

(o) Funeral and burial expenses.

(p) Costs of gift shop operations and inventory.

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care.

(r) Fund-raising expenses, except expenses directly related to the patient activity program.

(s) Penalties and fines.

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations.

(u) Federal, state, and other income taxes.

(v) Costs of special care services except where authorized by the department.

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all

employees on an equal or fair basis in terms of costs to employees and benefits commensurate to such costs.

(x) Expenses of profit-sharing plans.

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care.

(z) Personal expenses and allowances of owners or relatives.

(aa) All expenses of maintaining professional licenses or membership in professional organizations.

(bb) Costs related to agreements not to compete.

(cc) Goodwill and amortization of goodwill.

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care.

(ee) Legal and consultant fees in connection with a fair hearing against the department relating to those issues where:

(i) A final administrative decision is rendered in favor of the department or where otherwise the determination of the department stands at the termination of administrative review; or

(ii) In connection with a fair hearing ((where)), a final administrative decision has not been rendered; or

(iii) In connection with a fair hearing ((where)), related costs are not reported as unallowable and identified by fair hearing docket number in the period they are incurred if no final administrative decision has been rendered at the end of the report period; or

(iv) In connection with a fair hearing ((where)), related costs are not reported as allowable, identified by docket number, and prorated by the number of issues decided favorably to a contractor in the period a final administrative decision is rendered.

(ff) Legal and consultant fees in connection with a lawsuit against the department, including suits which are appeals of administrative decisions.

(gg) Lease acquisition costs and other intangibles not related to patient care.

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds.

(ii) Beginning January 1, 1985, lease costs, including operating and capital leases, except for office equipment operating lease costs.

(jj) Beginning January 1, 1985, interest costs.

(kk) Travel expenses outside the states of Idaho, Oregon, and Washington, and the Province of British Columbia. However, travel to or from the home or central office of a chain organization operating a nursing home will be allowed whether inside or outside these areas if such travel is necessary, ordinary, and related to patient care.

(ll) Board of director fees for services in excess of one hundred dollars per board member, per meeting, not to exceed twelve meetings per year.

(mm) Moving expenses of employees in the absence of a demonstrated, good-faith effort to recruit within the

states of Idaho, Oregon, and Washington, and the Province of British Columbia.

(nn) Depreciation expense in excess of twenty-five hundred dollars per year for passenger cars or other vehicles primarily used for the administrator, facility staff, or central office staff.

(oo) Any costs associated with the use of temporary health care personnel from any nursing pool not registered with the director of the department of licensing at the time of such pool personnel use.

(pp) Costs of payroll taxes associated with compensation in excess of allowable compensation for administrative personnel.

AMENDATORY SECTION (Amending Order 2573, filed 12/23/87)

**WAC 388-96-722 NURSING SERVICES COST AREA RATE.** (1) The department shall pay the nursing services cost area reimbursement rate ((shall reimburse)) for the necessary and ordinary costs of providing routine nursing and related care to recipients. The cost of one-to-one care shall include care provided by qualified therapists and their employees ((are included)) only to the extent the costs are not covered by Medicare, part B, or any other coverage.

(2) The department shall subject nursing service costs ((shall be subject)) to two reasonableness tests:

- (a) A test for nursing staff hours; and
- (b) A test for cost increases between the current and preceding report period.

(3) The test for nursing staff hours referenced in subsection (2)(a) of this section shall use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' assistants, including:

(a) Purchased and allocated nursing and assistant staff time, and  
 (b) The average Battelle patient debility score for the corresponding facilities as computed by the department. The department shall take data for the regression from:  
 (i) Correctly completed cost reports, and  
 (ii) Patient assessments completed by the department for the corresponding calendar report year and available at the time the regression equation is computed. Effective January 1, 1988, the department shall not include the hours associated with off-site or class room training of nursing assistants and the supervision of such training for nursing assistants in the test for nursing staff hours. The department shall calculate and set for each facility a limit on nursing and nursing assistant staffing hours at predicted staffing hours plus 1.75 standard errors, utilizing the regression equation calculated by the department. The department shall reduce costs for facilities with reported hours exceeding the limit by an amount equivalent to:

- (A) The hours exceeding the limit;
- (B) Times the average wage rate for nurses and assistants indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. The department shall provide contractors' reporting hours exceeding the limit the higher of their January 1983 patient care rate or the nursing services

rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.

(4) The test for cost increases referenced in subsection (2)(b) of this section shall compare:

(a) The percentage change in allowable nursing services cost for the facility between the most recent cost report period and the next prior cost report period;

(b) Against the percentage change in the medical care component of the consumer price index for all urban consumers between July of the most recent cost report period and July of the next prior cost report period. The department shall limit facilities reporting increases greater than the medical care component of the consumer price index to a rate determined by their adjusted patient care costs for the period immediately preceding the most recent cost report period, inflated by the medical care component of the consumer price index.

AMENDATORY SECTION (Amending Order 2485, filed 4/20/87)

**WAC 388-96-754 A CONTRACTOR'S RETURN ON INVESTMENT.** (1) The department shall establish for individual Medicaid facilities return on investment allowances composed of a financing allowance and a variable return allowance.

(2) ((at)) The department shall determine the financing allowance ((shall be determined)) by:

(a) Multiplying the net invested funds of each facility by eleven percent and dividing by the contractor's total patient days. Annual patient days taken from the contractor's cost report for the most recent twelve-month cost report period will be used. If the cost report covers less than twelve months, the department will estimate annual patient days and working capital costs for a full year based upon data in the cost report. If a capitalized addition or retirement of an asset ((will result)) results in a different licensed bed capacity during the ensuing period, the department shall adjust the prior period total patient days used in computing the financing and variable return allowances ((shall be adjusted)) to anticipated patient day level((:)); and

(b) In computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in this chapter, including owned and leased assets, shall be used, except the capitalized cost of land upon which a facility is located and other such contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. In the case of leased facilities where the net invested funds are unknown or the contractor is unable or unwilling to provide necessary information to determine net invested funds, the department may determine an amount to be used for net invested funds based upon an appraisal conducted by the department of general administration ((pursuant to)) per this chapter.

(3) The department shall determine the variable return allowance ((shall be determined)) according to the following procedure:

(a) The department shall rank all facilities in numerical order from highest to lowest based upon average per diem allowable costs for the sum of the administration

and operations and property cost centers for the preceding cost report period. In the case of a new contractor, property and administration and operations cost levels actually used to set the initial rate shall be used for the purpose of ranking the new contractor. The department shall adjust the new contractor's costs ((will be adjusted)) to the cost year used to establish the most recent variable return ranking for all providers using inflation factors authorized by provisions of this chapter.

(b) The department shall compute the variable return allowance ((shall be computed)) by multiplying the total prospective rate for each facility by the appropriate percentage which shall not be less than one percent nor greater than four percent. The department shall divide the facilities ranked according to subsection (3)(a) of this section into four groups, from highest to lowest, with an equal number of facilities in each group or nearly equal as is possible. The department shall assign facilities in the highest quarter ((will be assigned)) a percentage of one, in the second highest quarter a percentage of two, in the third highest quarter a percentage of three, and in the lowest quarter a percentage of four. The per patient day variable return allowance in the initial rate of a new contractor shall be the same as that in the rate of the preceding contractor, if any.

(4) The sum of the financing allowance and the variable return allowance shall be the return on investment for each facility and shall be added to the prospective rate for each facility.

(5) If a facility is leased by a contractor as of January 1, 1980, in an arm's-length agreement, which continues to be leased under the same lease agreement as defined in this chapter, and for which the annualized lease payment, plus any interest and depreciation expenses of contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center determined according to this chapter, is more than the return on investment allowance determined according to this section, the following shall apply:

(a) The financing allowance shall be recomputed substituting the fair market value of the assets, as of January 1, 1982, determined by department of general administration appraisal less accumulated depreciation on the lessor's assets since January 1, 1982, for the net book value of the assets in determining net invested funds for the facility. Said appraisal shall be final unless shown to be arbitrary and capricious.

(b) The sum of the financing allowance computed under this subsection and the variable return allowance shall be compared to the annualized lease payment, plus any interest and depreciation expenses of contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center rate determined according to this chapter. The lesser of the two amounts shall be called the alternate return on investment allowances.

(c) The return on investment allowance determined in accordance with subsections (1), (2), (3), and (4) of this section or the alternate return on investment allowance, whichever is greater, shall be the return on investment

allowance for the facility and shall be added to the prospective rate of the facility.

(d) In the case of a facility leased by the contractor as of January 1, 1980, in an arm's-length agreement, if the lease is renewed or extended pursuant to a provision of the lease agreement existing on January 1, 1980, the treatment provided in subsection (5)(a) of this section shall be applied except that in the case of renewals or extensions made on or subsequent to April 1, 1985, per a provision of the lease agreement existing on January 1, 1980, reimbursement for the annualized lease payment shall be no greater than the reimbursement for the annualized lease payment for the last year prior to the renewal or extension of the lease.

(6) The information from the two prior reporting periods used to set the two prospective return on investment rates in effect during the settlement year is subject to field audit. If the financing allowances which can be documented and calculated at audit of the prior periods are different than the prospective financing allowances previously determined by desk-reviewed, reported information, and other relevant information, the prospective financing allowances shall be adjusted to the audited level at final settlement of the year the rates were in effect. Any adjustments to the financing allowances pursuant to this subsection shall be for settlement purposes only. However, the variable return allowances shall be the prospective allowances determined by desk-reviewed, reported information, and other relevant information and shall not be adjusted to reflect prior-period audit findings.

#### AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

#### WAC 388-96-763 RATES FOR RECIPIENTS REQUIRING EXCEPTIONALLY HEAVY CARE.

(1) A contractor certified to care for SNF patients may apply for an individual prospective reimbursement rate for a recipient whose special nursing and direct care-related service needs are such that the ((cost of)) hours of nursing services care ((will be)) needed are at least twice the contractor's current ((reimbursement rate)) per patient average of hours of nursing services.

(2) ((Application)) The contractor shall apply for an individual rate for an exceptionally heavy care recipient ((shall be made)) in accordance with instructions furnished by the department.

(3) When the department grants an individual rate for an exceptionally heavy care recipient ((will be granted)), it shall be for a specified period of time, subject to extension, revision, or termination depending on the recipient's care requirements at the end of such period. ((It will be computed)) The department shall compute the rate to cover the projected ((actual)) costs of providing necessary nursing care ((of)) for the recipient in excess of the contractor's regular per patient day nursing services rate.

(4) The department shall notify the contractor ((will be informed)) in writing of the disposition of its application as soon as possible and in no case longer than thirty days following receipt of a properly completed application.

**AMENDATORY SECTION** (Amending Order 2573, filed 12/23/87)

WAC 388-96-774 PROSPECTIVE RATE REVISIONS. (1) The department shall determine each contractor's reimbursement rates prospectively at least once each calendar year, to be effective July 1st. The department shall determine all prospective reimbursement rates for 1984 and thereafter using the prior year's desk-reviewed cost reports. Prospective rates shall be maximum payment rates for contractors for the periods to which they apply. The department may grant revisions ((may be granted)) for inflation only as authorized in WAC 388-96-719(3)(-)) and may grant other revisions for cost increases ((may be granted)) only as authorized in this section. The department shall not grant rate adjustments for wage increases except as authorized in WAC 388-96-756 and not for increases in use of temporary employment services providing direct patient care. This section shall apply to rate revision requests and periods subsequent to May 20, 1985.

(2) The department shall adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department may adjust rates for the following:

(a) Variations in the distribution of patient classifications or changes in patient characteristics from:

- (i) The prior reporting year, or
- (ii) Those used to set the rate for a new contractor, or
- (iii) Corresponding to the nursing staff funded for a new contractor.

(b) Program changes required by the department.

(c) Changes in staffing levels at a facility required by the department.

(4) Contractors requesting an adjustment shall submit:

(a) A financial analysis showing:

- (i) The increased cost, and
- (ii) An estimate of the rate increase, computed according to allowable methods, necessary to fund the cost;

(b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation showing the changes in staffing have commenced, or other commenced or completed improvements.

(5) Contractors receiving prospective rate increases ((pursuant to)) per this section shall submit quarterly reports, beginning the first day of the month following the date the increase is granted, showing how the additional rate funds were spent. If the funds were not spent for changes or improvements approved by the department in granting the adjustment, they shall be subject to immediate recovery by the department.

(6) A contractor requesting an adjustment pursuant to subsection (3)(a) of this section shall submit a written plan specifying:

- (a) Additional staff to be added,
- (b) Changes in Medicaid patient characteristics requiring the additional staff, and
- (c) The predicted improvements in patient care services which will result. The department shall respond to

such requests within sixty days following the receipt of a properly completed request.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider one or more of the following:

- (a) Whether additional staff requested by a contractor is necessary to meet patient care needs;
- (b) Comparisons of staffing patterns of facilities having similar size and patient characteristics;
- (c) The physical layout of the facility;
- (d) Nursing service planning and management for maximum efficiency;
- (e) Historic trends in underspending of a facility's nursing services component rate.
- (f) Numbers and positions of existing staff;
- (g) Increases in acuity (debility) levels of contractors' residents;
- (h) Survey, inspection of care, and department consultation results; and
- (i) Facility's ability to fund staffing request through existing nursing services and food rates.

(8) If a request made under subsection (3) of this section is approved by the department, the cost of funding the additional staff may be reduced for rate revision purposes by amounts shifted out of nursing services in 1986 or 1987, as reflected in the preliminary or final settlement reports for 1986 and 1987((;)).

(9) The department may also adjust rates ((may also be adjusted)) to cover costs associated with placing a nursing home in receivership for costs not covered by the rate of the former contractor, including:

- (a) Compensation of the receiver,
- (b) Reasonable expenses of receivership and transition of control, and
- (c) Costs incurred by the receiver in carrying out court instructions or rectifying deficiencies found.

(10) The department shall not grant a rate adjustment effective earlier than sixty days prior to receipt of the written request for such adjustment accompanied by all related documentation and information required by this section.

**AMENDATORY SECTION** (Amending Order 2025, filed 9/16/83)**WAC 388-96-807 CHARGES TO PATIENTS.**

(1) The department ((will)) shall notify a contractor of the amount each medical care recipient is required to pay for care provided under the contract and the effective date of such required contribution. It is the contractor's responsibility to collect that portion of the cost of care from the patient, and to account for any authorized reduction from his or her contribution in accordance with procedures established by the department.

(2) If a contractor receives documentation showing a change in the income or resources of a recipient which ((will)) means a change in his or her contribution toward the cost of care, the contractor shall report this ((shall be reported)) in writing to the CSO within seventy-two hours. If necessary, the department shall make appropriate corrections ((shall be made)) in the next nursing home statement, and attach a copy of documentation supporting the change ((shall be attached)). If a

contractor receives increased funds for a recipient ((are received by a contractor)), the ((normal amount shall be allowed for clothing, personal and incidental expense, and the balance applied to the cost of care)) nursing home shall contact the CSO within seventy-two hours.

(3) The contractor shall accept the reimbursement rate established by the department as full compensation for all services it is obligated to provide under the contract, certification as specified by Title XIX, and licensure under chapter 18.51 RCW. The contractor shall not seek or accept additional compensation from or on behalf of a recipient for any or all such services.

#### AMENDATORY SECTION (Amending Order 2573, filed 12/23/87)

**WAC 388-96-904 ADMINISTRATIVE REVIEW PROCESS.** (1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, the contractor shall request, in writing, that the appropriate director or his or her designee review such determination. The contractor shall send the request to the office of contracts management if the challenge pertains to audit findings (adjusting journal entries or AJEs) or other audit matters. For other matters (such as rates, desk reviews, and settlements), the contractor shall send the request to the ((director)) manager, residential rates ((and licensure services (director, RR&LS))) program. The contractor or the licensed administrator of the facility shall:

- (a) Sign the request,
- (b) Identify the challenged determination and the date thereof, and

(c) State as specifically as practicable the issues and regulations involved and the grounds for its contention that the determination is erroneous. The contractor shall include with the request copies of any documentation the contractor intends to rely on to support its position.

(2) After receiving a timely request meeting the criteria of this section, the department shall contact the contractor to schedule a conference for the earliest mutually convenient time. The department shall schedule the conference for no earlier than fourteen days after the contractor was notified of the conference and no later than ninety days after a properly completed request is received, unless both parties agree in writing to a specific later date. The department may conduct the conference ((may be conducted)) by telephone unless either the department or the contractor requests, in writing, the conference be held in person.

(3) The contractor and appropriate representatives of the department shall participate in the conference. In addition, representatives selected by the contractor may participate. The contractor shall bring to the conference, or provide to the department in advance of the conference:

(a) Any documentation requested by the department which the contractor is required to maintain for audit purposes pursuant to WAC 388-96-113, and

(b) Any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, the

parties shall schedule a second session of the conference for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) Regardless of whether agreement has been reached at the conference, the director of residential rates and licensure services or designee or the director of the office of nursing home audit or designee shall furnish a written decision to the contractor within sixty days after the conclusion of the conference.

(5) A contractor, aggrieved by a decision of the director, may appeal the decision in an administrative hearing.

(a) A contractor desiring an administrative hearing shall file a written request for a hearing with the department's Office of Hearings, P.O. Box 2465, Olympia, Washington 98504. The contractor shall file the request for hearing within thirty days of the date the contractor received the decision of the director that he or she desires to appeal,

(b) Attach a copy of the director's decision being appealed to the request for hearing,

(c) Sign the request or have the licensed administrator of the facility sign it,

(d) State as specifically as practicable the issue or issues and regulation or regulations involved,

(e) State the grounds for contending the director's decision is erroneous, and

(f) Include copies of any documentation on which the contractor intends to rely to support its position with the request.

(g) Sections of chapter 388-08 WAC not conflicting with this section shall apply to a hearing requested under WAC 388-96-904(5).

#### WSR 89-01-096 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Health) [Order 2743—Filed December 21, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 248-15-040 Physician's trained mobile IV therapy technician—Training and knowledge standards.

Amd WAC 248-15-050 Physician's trained mobile airway management technician—Training and knowledge standards.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are necessary to revise skill maintenance requirements of certified intravenous therapy technicians, airway management technicians and mobile intensive care paramedics to set maintenance standards for certified personnel.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 18.71.205.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 20, 1988.

By Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 1329, filed 8/22/78)

**WAC 248-15-040 PHYSICIAN'S TRAINED MOBILE IV THERAPY TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS.** (1) Shock and fluid therapy

(a) Fluid and electrolytes:

(i) Demonstrate a knowledge of:

- (A) Intracellular fluid
- (B) Extracellular fluid
- (C) Intravascular fluid
- (D) Extravascular fluid
- (E) Interstitial fluid
- (F) Total body fluid;

(ii) Demonstrate a knowledge of:

- (A) Isotonic solution
- (B) Hypertonic solution
- (C) Hypotonic solution;

(iii) Given a list of IV solutions, demonstrate a knowledge of the osmotic effect of the solution when introduced into the body;

(iv) Demonstrate a working knowledge of acid base balance in the human body and acid base equilibrium;

(v) Identify those fluids normally carried in the field that are used to increase the circulating blood volume;

(vi) Demonstrate a working knowledge of the components of D5W, D5-normal saline, lactated Ringers solution and bicarbonate ( $\text{NaHCO}_3$ ).

(b) Blood and its components:

(i) Demonstrate a knowledge of blood and its components. Describe the function of:

- (A) Plasma
- (B) Red cells
- (C) White blood cells
- (D) Platelets;

(ii) Show an understanding of the common terms related to blood:

- (A) Hematocrit
- (B) Hemoglobin
- (C) Anemia
- (D) Hemostasis

(E) Transfusion reaction;

(iii) Demonstrate a knowledge of blood typing and be able to define:

- (A) A universal donor
- (B) A universal blood recipient
- (C) A transfusion reaction.

(c) Techniques of management:

(i) Identify the criteria for intravenous infusion;

(ii) Identify all items which might normally be carried in a paramedic unit or paramedic kit, which relate to IV infusion;

(iii) Identify at least two components for each of the IV solutions carried in a paramedic's apparatus or that a paramedic is trained to administer. This will include a minimum of three solutions;

(iv) Demonstrate a knowledge of measuring volume of content in IV solution in milliliters and liters;

(v) Compare standard and pediatric IV administration sets with respect to drops per minute and explain the effect of the viscosity of the solution upon that rate;

(vi) Demonstrate a knowledge of the various intravenous needles and their parts including:

(A) Winged needle devices (butterfly)

(B) Catheter over the needle device (ABBACATH or angiocath)

(C) Catheter through the needle device (INTRACATH);

(vii) Compare the over-the-needle device with an intracatheter and be able to note the limitations and dangers of each;

(viii) Identify the appropriate sites for venipuncture on the body;

(ix) Demonstrate a knowledge of the anatomy of superficial veins of the upper and lower extremities;

(x) Demonstrate in written examination, the sequence required to start an IV;

[(xi)]

(xii) Demonstrate a knowledge of those situations that depict an air embolism in a patient, the effect of the embolism and the techniques for preventing embolisms;

(xiii) Be able to describe the effect of IV fluid temperature upon the vessels when entering a body;

(xiv) Be familiar with all of the common definitions and terms associated with shock and fluid therapy.

(2) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's school of medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural steps presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(3) The skills standards required of physician's trained mobile intravenous therapy technicians shall consist of the following minimum requirements or equivalent.

(4) Fluid and IV therapy—skill standard

(a) Given the following equipment:

(i) 18# winged needle device;

(ii) Administration set;

- (iii) IV fluid;
- (iv) Iodine or alcohol wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a fellow student or patient the procedure for initiating an IV using a winged needle device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

- (b) Given the following equipment:
- (i) 18# over-the-needle catheter device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine or alcohol wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a practice arm, a fellow student or patient, the procedure for initiating an IV using an over-the-needle catheter device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

- (c) (Optional) Given the following equipment:
- (i) 18# through-the-needle catheter device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a practice arm, the procedure for initiating an IV using a through-the-needle catheter device. The infusion will be considered successful if it is running at a rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(d) Given a properly functioning infusion on a practice arm, fellow student or patient during a practical exercise, demonstrate the technique of stopping an infusion and caring for the injection site.

(e) Given a minimum of three situations presented by the instructor during a practical exercise in which the IV infusion is not running on a practice arm, identify the problem and correct it. The problems may include the following:

- (i) Flow clamp closed;
- (ii) Height of IV too low;
- (iii) Needle not patent;
- (iv) Tubing kinked or pinched;
- (v) Air vent not patent;
- (vi) Tourniquet still in place;
- (vii) Identify the problems and correct them. Each situation may involve more than one, but not more than two problems.

(f) Given a properly functioning infusion on a practice arm during practical exercise, demonstrate the technique for removal of an air bubble from the administration set.

The demonstration will be considered successful if the bubble is entirely removed in two consecutive attempts.

(g) Given an over-the-needle device properly initiated in a practice arm, a 25cc syringe and three rubber-topped sample collecting tubes, demonstrate the procedure for collecting blood samples.

(h) Given a 500 ml. bottle of IV fluid, a 500 ml. or 1000 ml. flexible bag of IV fluid and administration set, demonstrate how to properly set up an intravenous set using aseptic techniques.

(5) After attending the lecture and demonstrations and given an opportunity to practice the involved skills, the students will be able to correctly perform each of the skill standards in the presence of the instructor and without the use of notes, diagrams or charts. Correct performance will be defined by the instructor during the lecture and demonstration sessions. The student will be given no more than three attempts to successfully perform each of the required steps in the proper sequence.

(6) To maintain a qualification in this skill during the first two years following certification, the certified individual ((provider must)) shall perform a minimum of ((five)) thirty-six catheter-around-needle insertions on sick, injured, or postoperative patients ((in a month, averaged)) over a ((ninety-day)) twelve-month period((; during the first year following certification)). In ((the second and)) subsequent ((years following)) certification periods certified, the ((performance frequency)) individual shall ((be at least three insertions per month)) demonstrate proficiency to the satisfaction of the EMS medical program director as required under WAC 248-15-025 (2)(e). In addition, the certified individual ((provider)) shall maintain a minimum of fifteen hours of approved continuing medical education each year.

(7) Standards for IV therapy technician correspond to Module I, II, and III, department of transportation curriculum reference.

#### AMENDATORY SECTION (Amending Order 1718, filed 11/12/81)

WAC 248-15-050 PHYSICIAN'S TRAINED MOBILE AIRWAY MANAGEMENT TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS. (1) Meet requirements of WAC 248-15-030.

(2) Respiratory system:

(a) Anatomy and physiology of the respiratory system:

(i) Demonstrate a knowledge of all the components and functions of the anatomy of the upper respiratory tract;

(ii) Demonstrate a knowledge of all the components and functions of the anatomy of the lower respiratory tract;

(iii) Demonstrate a knowledge of the role of the muscles that are primarily involved in respiration;

(iv) Describe at least five causes of change in respiratory rate;

(v) Outline and describe the nervous system as it relates to the respiratory center and to respiratory function;

(vi) Demonstrate a knowledge of normal and abnormal blood gas values and their effect on blood pH and respiratory activity.

(b) Pathophysiology and management of respiratory problems:

(i) Identify those medical problems which may cause acute respiratory insufficiency;

(ii) Demonstrate a knowledge of those trauma related problems that may cause acute respiratory insufficiency;

(iii) Demonstrate a knowledge of the procedures required to give appropriate treatment in the management of the respiratory arrest patient;

(iv) Given a list of causes of upper airway obstruction, describe those causes which are most common and describe the techniques required to relieve airway obstruction;

(v) Demonstrate an understanding of the general characteristics, causes and treatment for the following respiratory problems:

(A) Asthma

(B) Chronic lung disease

(C) Emphysema

(D) Chronic obstructive pulmonary disease (COPD)

(E) Respiratory burns

(F) Inhaled toxic gases

(G) Drowning;

(vi) Demonstrate a knowledge of the following clinical presentations:

(A) Rhonchi

(B) Rales

(C) Pulmonary edema

(D) Upper respiratory edema

(E) Absence of gag reflex;

(vii) Identify and appropriately treat the drowning victim and the near-drowning victim in both fresh and salt water, describe the physiological differences based on the type of water composition. List the differences in the treatment of the respective patients;

(viii) Demonstrate a working knowledge of IPPB;

(ix) Demonstrate an ability to properly treat the patient with pulmonary edema;

(x) Demonstrate a knowledge and familiarization of the various normal and abnormal breath sounds heard upon auscultation;

(xi) Demonstrate a knowledge of hypoventilation and its causes, clinical manifestations and treatment;

(xii) Demonstrate a knowledge of respiratory problems resulting from fractured ribs;

(xiii) Demonstrate knowledge of the definitions, symptoms and treatment procedures used in the management of:

(A) Flail chest

(B) Simple pneumothorax

(C) Tension pneumothorax

(D) Sucking chest wound

(E) Hemothorax.

(c) Techniques of management:

(i) Demonstrate a knowledge of oxygen delivery, oxygen adjuncts and oxygen delivery methods and the advantages and disadvantages of each delivery method;

(ii) Identify the potential complications in the administration of oxygen and of oxygen's toxic effects;

(iii) Demonstrate a thorough knowledge of laryngoscopy and endotracheal intubation;

(iv) Demonstrate a knowledge of esophageal obturation airway methods;

(v) Demonstrate an understanding of the purpose, indications and methods of thoracic decompression;

(vi) Identify the indications, equipment (including cricothyrotomes) and methods of performing cricothyroidotomy.

(3) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's school of medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural step(s) presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(4) The skills standards required of physician's trained mobile airway management technicians shall consist of the following minimum requirements or equivalent.

(5) Aids to ventilation:

(a) Endotracheal intubation:

(i) Given an adult and/or an infant intubation manikin, laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(ii) Given an anesthetized patient in a clinical or operating room setting or a human cadaver and laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, appropriate forceps, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds consistently. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(iii) Given an adult intubation manikin, laryngoscope, assorted curved and straight blades, and appropriate forceps, the student will be able to demonstrate the technique of direct laryngoscopy for removal of a foreign body;

(iv) Given a suction device, sterile catheters, a container of water, sterile gloves and a patient or manikin with endotracheal tube in place, the student will be able to demonstrate aseptic atraumatic orotracheal and endotracheal suctioning technique;

(v) To maintain a qualification in this skill, the certified individual ((provider)) must perform a minimum of ((one)) twelve endotracheal intubation ((per month, averaged)) over a ((ninety-day)) twelve-month period((;)) on human subjects. In subsequent certification periods, the certified individual shall perform a minimum of four endotracheal intubations in a twelve-month period. In addition, the certified individual ((provider)) shall maintain a minimum of fifteen hours of approved continuing medical education each year. ((Subjects may be anesthetized patients, patients seen in actual emergencies or human cadavers\*.)

(b) (Optional) Esophageal obturation:

(i) Given an adult intubation manikin, an esophageal obturator airway, 30cc syringe, and bag-valve unit, demonstrate the technique for the insertion of an esophageal obturator airway;

(ii) Demonstrate the method to assess correct placement of the obturator and properly obtain a mask seal and ventilate the patient;

(iii) Demonstrate endotracheal intubation with the esophageal obturator in place and subsequent removal of the obturator;

(iv) To maintain a qualification in this skill, users of the esophageal obturator airway must have a refresher training under the direct supervision of a physician every ninety days. Refresher training shall be accomplished on an intubation manikin or human cadaver. The advanced life support system which prefers to follow the optional training program and use the esophageal obturator in the field must also train the student in the use of endotracheal intubation. Skill maintenance standards may be maintained in either endotracheal intubation or the obturator airway.

(c) Other adjuncts to airway management:

(i) Given a fellow student as a patient, demonstrate the procedure for the preparation of the oxygen system and the administration of oxygen to a breathing patient using:

- (A) Nasal cannula
- (B) Partial rebreather mask
- (C) Venturi mask

(D) (Optional) Demand valve unit;

(ii) Given an adult manikin, oro and nasopharyngeal airways, pocket mask, oxygen cylinder and bag-valve mask, demonstrate the procedure for administering intermittent positive ventilation using:

- (A) Pocket mask
- (B) Bag-valve mask
- (C) Bag-valve mask with oxygen

(D) Oropharyngeal airway with bag-valve mask;

(iii) Given a bag-valve mask, demonstrate the assembly, disassembly and cleaning of the bag-valve mask unit;

(iv) Given a prepared animal or cadaver, a twelve or fourteen gauge venous catheterization set or an approved style one-way valve, demonstrate the technique for chest decompression;

(v) (Optional) Given an adult manikin, an oropharyngeal airway and a demand valve unit, demonstrate the procedure for performing intermittent positive pressure ventilation;

(vi) (Optional) Given a demand valve unit, demonstrate the assembly, disassembly and cleaning of the demand valve unit;

(vii) (Optional) Given an animal or cadaver with an obstructed upper airway, and a cricothyrotome or cricothyroidotomy set with scalpel, the student will demonstrate the procedure for performing a cricothyroidotomy.

(6) Standards for physician trained mobile airway management technicians compare to Module I, II and IV, department of transportation curriculum reference.

((\*Human cadavers may be used not to exceed one per ninety days.))

### WSR 89-01-097

#### NOTICE OF PUBLIC MEETINGS GREEN RIVER COMMUNITY COLLEGE

[Memorandum—December 20, 1988]

The board of trustees will meet the third Thursday of each month as follows:

January 19	July 20
February 16	August 17
March 16	September 21
April 20	October 19
May 18	November 16
June 22	December 21
(4th Thursday)	

The board of trustees of Community College District No. 10 does hereby set the regular meeting dates for the board of trustees on the third Thursday of each month (except as noted), commencing at 4:00 p.m. in the Board Room of the Administration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98002. Notice of any change from such meeting schedule shall be published in the state register for distribution at least twenty days prior to the rescheduled meeting date.

### WSR 89-01-098

#### NOTICE OF PUBLIC MEETINGS HUMAN RIGHTS COMMISSION

[Memorandum—December 20, 1988]

The Washington State Human Rights Commission will hold its next regular commission meeting/retreat in Silverdale on January 26, 27 and 28, 1989. The meeting will be held at the Silverdale Hotel, Anchor Room, 3073 N.W. Bucklin Hill Road, Silverdale. The regular business meeting will be held on January 26, from 7:00 p.m. to 9:00 p.m. The planning and work sessions will be held on January 26, beginning at 9:00 p.m., on January 27, beginning at 9:00 a.m., and on January 28, beginning at 9:00 a.m. The commissioners will be setting goals for the 1989 calendar year.

**WSR 89-01-099**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
[Memorandum—December 20, 1988]

The Human Rights Commission has scheduled its meetings for 1989 as follows. A work session for the commissioners and required staff will be held the evening prior to each meeting, except for the January meeting.

DATE	LOCATION
January 26, 27, 28	Silverdale
February 23	Olympia
March 23	Monroe
April 27	Moses Lake
May 25	Richland
June 22	Spokane
July 27	Bellevue
August 24	Port Townsend
September 28	Yakima
October 26	Bellingham
November 15	Vancouver
December 20	Seattle

**WSR 89-01-100**  
**WITHDRAWAL OF PROPOSED RULES**  
**THE EVERGREEN STATE COLLEGE**  
[Filed December 21, 1988]

At this time, The Evergreen State College would like to withdraw from consideration WAC 174-136-030 relating to criminal trespass warnings.

This WAC was filed November 2, 1988, WSR 88-22-080.

Rita B. Grace  
Administrative Assistant  
to the President

**WSR 89-01-101**  
**NOTICE OF PUBLIC MEETINGS**  
**THE EVERGREEN STATE COLLEGE**  
[Memorandum—December 16, 1988]

Following are the dates of the regular meetings of the board of trustees for 1989:

Wednesday, January 11	1:30 p.m.	University of Washington Board Room, Seattle
Wednesday, February 8	1:30 p.m.	TESC Board Room – Olympia
Wednesday, March 8	1:30 p.m.	TESC Board Room – Olympia
Wednesday, April 12	1:30 p.m.	TESC Board Room – Olympia
Wednesday, May 10	1:30 p.m.	TESC Board Room – Olympia
Wednesday, June 14	1:30 p.m.	TESC Board Room – Olympia
Wednesday, July 12	2:00 p.m.	Tri-Cities (location to be announced)
Wednesday, August 9	2:00 p.m.	Clark College Board Room – Vancouver
Wednesday, September 13	2:00 p.m.	Yakima (location to be announced)
Wednesday, October 11	1:30 p.m.	TESC Board Room – Olympia
Wednesday, November 8	2:00 p.m.	Spokane (location to be announced)
Wednesday, December 13	1:30 p.m.	TESC Board Room – Olympia

The meetings on the campus of The Evergreen State College will be held in Room 3112 of the Daniel J. Evans Library Building.

**WSR 89-01-102**  
**PROPOSED RULES**  
**INSURANCE COMMISSIONER**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to adopt, amend, or repeal rules concerning the amendment of WAC 284-23-550 to reduce from six to five percent the interest rate to be applied to cumulative premiums;

that the agency will at 10:00 a.m., Thursday, February 9, 1989, in the Insurance Commissioner's Office, Insurance Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 48.02.060.

The specific statute these rules are intended to implement is RCW 48.30.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 9, 1989. Mailing address: Insurance Building, AQ-21, Olympia, Washington 98504-0321.

Dated: December 20, 1988  
By: Robert E. Johnson  
Deputy Commissioner

**STATEMENT OF PURPOSE**

Title: Amending WAC 284-23-550(1) to reduce from six to five percent the interest rate to be applied to cumulative premiums.

Purpose of the Proposed Amendment: To carry out the determination made following, and as a result of the comments received at, the public hearing relative to the adoption of WAC 284-23-550. As originally proposed, the formula prescribed in the rule called for a calculation based on cumulative premiums "plus interest at the rate of six percent per annum compounded annually to the tenth anniversary of the effective date of coverage." It was decided that five percent would be a more appropriate rate, however the rule was filed in error without the change in interest rate being made. Thereafter, the change was made by the adoption of an emergency rule on December 19, 1988. The purpose of this procedure is to adopt the change to five percent as a permanent rule.

The change from six to five percent was based on several factors, including the following: Five percent interest recognizes the time value of money with a rate which is readily available to consumers; and five percent is used in the National Association of Insurance Commissioners' model rules dealing with life insurance cost comparisons, which rules appear in WAC 284-23-200 through 284-23-270; the five percent interest figure will minimize interference with common or "mainstream" life insurance products issued to consumers concerned about the consequences of premature death. However, the figure will be sufficient to discourage abusive products that are now being sold to ailing or aged consumers who pay an excessively high price for minimal protection; and the five

percent interest figure, instead of a flat ceiling rate per \$1,000 of coverage, accommodates itself to the purpose of the rule, which is to prohibit unfair or deceptive acts or practices which have existed with respect to ailing and older people, by permitting more flexibility with respect to nonabusive plans of insurance by allowing, for example, nonlevel premiums or premiums which vary by mode of payment or premiums which are payable for less than ten years.

David Rodgers, Chief Deputy Insurance Commissioner, (206) 753-7302, assisted by Roy Olson, FSA, MAAA, Actuary, (206) 753-7305, whose addresses are: Insurance Building, AQ-21, Olympia, Washington 98504, were primarily responsible for drafting the original rule and this amendment thereto.

The rule as amended will be implemented and enforced by the Insurance Commissioner's Consumer Protection Division, headed by Robert E. Johnson, (206) 753-2406, and the Commissioner's Company Supervision Division, headed by Ed Southon, (206) 753-7303, Deputy Commissioners, Insurance Building, AQ-21, Olympia, Washington 98504, under the general supervision of David Rodgers, Chief Deputy.

The amendment is proposed by Dick Marquardt, the insurance commissioner, a state public official.

The proposed amendment is not necessary as the result of federal law or federal or state court action.

**Small Business Economic Impact Statement:** The cost per employee or per hour of labor for a large or small business is estimated at zero. As originally adopted, an insurer would have to expend some effort and expense in the review of its policy rates and forms and for the development of new rates and forms, if needed. The change from six to five percent in the formula, announced almost simultaneously with notice of the adoption of the original rule, will cause no significant expense. In any event, costs flowing from this amendment and the original rule do not depend upon the number of employees in a particular insurance company. Assuming that there would be an adverse economic impact on an insurer with fifty or fewer employees as a result of the amended rule, the right of the consumer to be treated fairly, as intended by the rule, would greatly outweigh such adverse impact on the insurer.

#### AMENDATORY SECTION (Amending Order R 88-12, filed 12/7/88)

**WAC 284-23-550 RELATIONSHIP OF DEATH BENEFITS TO PREMIUMS—UNFAIR PRACTICE DEFINED.** (1) It is an unfair practice for any insurer to provide life insurance coverage on any person through a policy or certificate of coverage delivered on or after April 1, 1989, to or on behalf of such person in this state, unless the benefit payable at death under such policy or certificate will equal or exceed the cumulative premiums, as defined in subsection (4) of this section, paid for the policy or certificate, plus interest thereon at the rate of ((six)) five percent per annum compounded annually to the tenth anniversary of the effective date of coverage.

(2) This section applies to death benefits in relation to premiums, subject to the following provisions:

(a) When determining the relationship between benefits and premiums as set forth in subsection (1) of this section, neither premiums nor death benefits shall be adjusted for maturity benefits, surrender benefits, or policy loans.

(b) Annuity benefits, including annuity death benefits, and the premiums therefor shall be disregarded in applying this section.

(c) The following benefits, but not the premiums therefor, shall be disregarded in applying this section:

- (i) Accidental death benefits;
- (ii) Permanent disability benefits; and
- (iii) Any benefit similar to (c)(i) or (ii), of this subsection.

(3) For coverage which varies by duration, including coverage provided through dividends, the "benefit payable at death" for purposes of this section is the sum of the least death benefit during each policy year, for the lesser of ten years or the term of the coverage, including renewals, divided by the number of death benefits included in said sum.

(4) "Cumulative premiums," for purposes of this section, means all sums paid as consideration, net of dividends paid in cash in an orderly progression, for the coverage during the first ten years of the coverage, excluding amounts which are designated in the policy or certificate as providing for annuity benefits.

(5) The benefits required by this section shall be provided contractually. If the policy or certificate must rely on dividends or "nonguaranteed" premiums or benefits to obtain compliance, then said policy or certificate shall contain a provision guaranteeing compliance.

(6) This section does not apply to:

(a) Life insurance where the minimum death benefit is twenty-five thousand dollars or more; or

(b) Group life insurance coverage unless the insured pays all or substantially all of the premium; or

(c) Limited payment whole life insurance where the death benefit is constant and the premiums are level at all times, if the death benefit exceeds the total of all premium payments.

(7) Approval of the policy forms which do not comply with this section is hereby withdrawn effective April 1, 1989.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### WSR 89-01-103 PROPOSED RULES LOTTERY COMMISSION

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery intends to adopt, amend, or repeal rules concerning:

Amd	WAC 315-06-035	Instant ticket purchase price and conditions.
Amd	WAC 315-10-060	Official end of game.
New	WAC 315-11-400	Definitions for Instant Game Number 40 ("Double Header").
New	WAC 315-11-401	Criteria for Instant Game Number 40.
New	WAC 315-11-402	Ticket validation requirements for Instant Game Number 40;

that the agency will at 10:00 a.m., Friday, February 3, 1989, in the Drawing Studio, Washington State Lottery, 814 4th Avenue, Olympia, WA 98506, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 3, 1989.

Dated: December 21, 1988  
 By: Scott Milne  
 Deputy Director

### STATEMENT OF PURPOSE

**Title and Number of Rule Section(s) or Chapter(s):** WAC 315-06-035 Instant ticket purchase price and conditions; 315-10-060 Official end of game; 315-11-400 Definitions for Instant Game Number 40 ("Double Header"); 315-11-401 Criteria for Instant Game Number 40; and 315-11-402 Ticket validation requirements for Instant Game Number 40.

**Statutory Authority:** RCW 67.70.040.

**Specific Statute that Rules are Intended to Implement:** RCW 67.70.040.

**Summary of the Rule(s):** WAC 315-06-035 allows for payment from retailers to the lottery by electronic funds transfer (EFT); WAC 315-10-060 permits the director to determine the circumstances under which retailers may return unsold lottery tickets for credit; WAC 315-11-400 provides definitions of the terms used in Instant Game Number 40 rules; WAC 315-11-401 sets forth criteria for Instant Game Number 40; and WAC 315-11-402 states the ticket validation requirements for Instant Game Number 40.

**Reasons Supporting the Proposed Rule(s):** WAC 315-06-035, will provide greater assurance of payment from retailers to the lottery; WAC 315-10-060, [no information supplied by agency]; WAC 315-11-400, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-401 and 315-11-402; WAC 315-11-401, licensed retailers and players of Instant Game Number 40 need to know how the game will function. Specifying the criteria which apply to Instant Game Number 40 will provide this information; and WAC 315-11-402, tickets for Instant Game Number 40 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets.

**Agency Personnel Responsible for Drafting:** Judith Giniger, Contract Specialist 3, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 586-1088; **Implementation and Enforcement:** Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Evelyn Y. Sun, Director, (206) 753-3330, Scott Milne, Deputy Director, (206) 753-3334, Roger Wilson, Assistant Director, (206) 586-1065 and Candice Bluechel, Assistant Director, (206) 753-1947.

**Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing this Rule:** Washington State Lottery Commission.

**Agency Comments or Recommendations, if any, Regarding the Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule:** None.

The rule is not necessary to comply with federal law or a federal/state court decision.

**Any Other Information that may be of Assistance in Identifying the Rule or its Purpose:** None.

**Small Business Economic Impact Statement Requirements:** The office of the director, Washington State Lottery, has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed retailers for the sale of lottery tickets, or contractors who provide other services to the office of the director, Washington State Lottery, or who voluntarily interact with the office of the director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to, or interact with, the office of the director, Washington State Lottery.

### AMENDATORY SECTION (Amending Order 83, filed 12/16/85)

**WAC 315-06-035 INSTANT TICKET PURCHASE PRICE AND CONDITIONS.** (1) The lottery retailer's purchase price for each pack of instant tickets shall be the retail price of the pack less the value of the pack's low-tier prizes less the retailer discount authorized pursuant to WAC 315-04-190. Lottery retailers shall reimburse the lottery for each low-tier prize payment made by the lottery for winning tickets purchased from the lottery retailer.

(2) Lottery retailers shall make payment to the lottery by business check, cashier's check, certified check, ((or)) money order or electronic funds transfer (EFT). The director may designate the form of payment.

(3) The director shall establish payment terms for purchase of instant tickets and shall issue instructions for such payments to lottery retailer.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

### AMENDATORY SECTION (Amending Order 103, filed 8/10/87)

**WAC 315-10-060 OFFICIAL END OF GAME.** (1) The director shall announce the official end of each instant game. A player may submit a low-tier winning ticket to the lottery retailer from whom the ticket was purchased or the lottery and a high-tier winning ticket to the lottery for prize payment up to one hundred and eighty days after the official end of game. In order to participate in a grand prize drawing in which the entry is the submittal of one or more winning or nonwinning tickets, a player must redeem and submit such a ticket or tickets within the time limits set forth in chapter 315-11 WAC governing the conduct of that specific game.

(2) A lottery retailer may continue to sell tickets for each instant game up to fourteen days after the official end of that game.

(3) At the discretion of the director, ((A)) a lottery retailer ((must)) may return to the lottery unsold lottery tickets for each game. Lottery retailers who are permitted by the director to return tickets within thirty days after the official end of that game ((in order to)) will receive full credit for the tickets returned from the lottery. Lottery retailers who are permitted by the director to return tickets between thirty-one and ninety days after the official end of game will be charged a fifteen percent restocking fee. The lottery has no obligation to grant credit for tickets returned more than ninety days after the official end of game.

(4) Return of tickets by state liquor control board outlets shall be governed by the interlocal cooperative agreement between the lottery and the state liquor control board.

### NEW SECTION

**WAC 315-11-400 DEFINITIONS FOR INSTANT GAME NUMBER 40 ("DOUBLE HEADER").** (1) Play symbols: The following are the "play symbols": "0"; "1"; "2"; "3"; "5"; "6"; "7"; and

"9". One of these symbols appears under each of the two rub-off spots in the "your score" column and under each of the two rub-off spots in the "their score" column in the play field on the front of the ticket.

(2) Captions: The small printed characters appearing below each play symbol which corresponds with and verifies that play symbol. The caption is a spelling out in full or in abbreviated form of the play symbol. One and only one caption appears under each play symbol. The number 1 or 2 precedes the play symbols to indicate the location of the play symbol in Game 1 or Game 2. For Instant Game Number 40, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
0	ZRO
1	ONE
2	TWO
3	THR
5	FIV
6	SIX
7	SVN
9	NIN

(3) Prize symbols: The following are the "prize symbols": "\$1.00", "\$4.00", "\$10.00", "\$25.00". One of these prize symbols appears for each game (row) in the prize column on the front of the ticket.

(4) Captions: The small printed characters appearing below the prize symbol which verifies and corresponds with that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. Only one caption appears under the prize symbol. The number 1 or 2 precedes the prize symbols to indicate the location of the prize symbol in Game 1 or Game 2. For Instant Game Number 40, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
\$4.00	FOR DOL
\$50.00	\$FIFTY\$
\$250	TWO FIF

(5) Validation number: The unique nine-digit random number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The ten-digit number of the form 4000001-000 printed on the front of the ticket. The first two digits are the game identifier. The first seven digits of the pack-ticket number for Instant Game Number 40 constitute the "pack number" which starts at 4000001; the last two digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 40, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols and prize symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00 (\$1 and \$1)
FOR	\$4.00
EGT	\$8.00 (\$4 and \$4)

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

#### NEW SECTION

WAC 315-11-401 CRITERIA FOR INSTANT GAME NUMBER 40. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner: The bearer of a ticket having a play symbol in the "your score" column that is a larger number than the play symbol in the "their score" column in the same game (row) shall win the prize shown in the prize column for that game (row). The bearer of a ticket having winning play symbols in both Game 1 and Game 2 shall win the total amount of both prizes. Play symbols in different games (rows) may not be combined to win a prize.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or payable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 40 set forth in WAC 315-11-402, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 40; and/or
- (b) Vary the number of tickets sold in Instant Game Number 40 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

#### NEW SECTION

WAC 315-11-402 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 40. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 40 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the two rub-off spots in the "your score" column and under each of the two rub-off spots in the "their score" column on the front of the ticket.

(b) Each of the four play symbols must have a caption below and each must agree with its caption.

(c) Exactly one prize symbol for each of the two games (rows) must appear under the rub-off material covering the prize column on the front of the ticket.

(d) Each of the two prize symbols must have a caption below and each must agree with its caption.

(e) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Positive Archer Font
Captions	Positive 5 x 9 Font
Prize Symbols	Positive Archer Font
Prize Symbol Captions	Positive 5 x 9 Archer Font
Pack-Ticket Number	Positive 9 x 12 Font
Validation Number	Positive 9 x 12 Font
Retailer Verification Code	Positive Archer Font

(f) Each of the play symbols and their captions, prize symbol and its caption, the validation number, pack-ticket number, and the retailer verification code must be printed in black ink.

(g) Each of the play symbols must be exactly one of those described in WAC 315-11-400(1); each of the captions must be exactly one of those described in WAC 315-11-400(2), the prize symbol must be exactly one of those described in WAC 315-11-400(3); and the prize symbol caption must be exactly one of those described in WAC 315-11-400(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**WSR 89-01-104**

**PROPOSED RULES**

#### **DEPARTMENT OF CORRECTIONS**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Corrections intends to adopt, amend, or repeal rules concerning Prisons—Discipline, amending chapter 137-28 WAC:

- Amd WAC 137-28-006 Definitions.
- Amd WAC 137-28-025 General infractions.
- Amd WAC 137-28-030 Serious infractions.
- Amd WAC 137-28-035 Reporting to law enforcement authorities.
- Amd WAC 137-28-080 Temporary prehearing confinement.

Amd	WAC 137-28-090	Conduct of hearing.
Amd	WAC 137-28-097	Staff advisors.
New	WAC 137-28-094	Lesser included and related infractions.
New	WAC 137-28-107	Sanctions and mental status.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 27, 1989.

The authority under which these rules are proposed is RCW 72.01.010.

The specific statute these rules are intended to implement is RCW 72.09.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 20, 1988

By: Chase Riveland  
Secretary

### STATEMENT OF PURPOSE

**Title and Purpose of Rule:** Amending WAC 137-28-006 Definitions; 137-28-025 General infractions; 137-28-030 Serious infractions; 137-28-035 Reporting to law enforcement authorities; 137-28-080 Temporary prehearing confinement; 137-28-090 Conduct of hearing; 137-28-097 Staff advisors; 137-28-094 Lesser included and related infractions; and 137-28-107 Sanctions and mental status.

**Statutory Authority:** RCW 72.01.010.

**Statute Implemented:** RCW 72.09.010.

**Summary of Rule and Reason for Proposed Change:** To standardize the disciplinary process for inmates.

**Purpose of this Rule Change:** To provide a more efficient system for determining whether an inmate has committed an act of misconduct and the penalties therefore and to reflect operational changes within the department.

**Person Responsible for Drafting:** Gary Banning, Administrator, Office of Contracts and Regulations, Department of Corrections, P.O. Box 9699, Mailstop FN-61, Olympia, Washington 98504, (206) 753-5770; **Implementing and Enforcing the Rule:** Joseph Lehman, Director, Division of Prisons, Department of Corrections, P.O. Box 9699, Mailstop FN-61, Olympia, Washington 98504, (206) 753-1508.

**Person or Organization Proposing the Rule:** Department of Corrections.

**Agency Comments or Recommendations:** None.

The amendment of this rule is not necessitated by federal law or federal or state court action.

The amendment of this rule will have no economic impact on small businesses.

### AMENDATORY SECTION (Amending Order 84-13, filed 8/14/84, effective 10/10/84)

**WAC 137-28-006 DEFINITIONS.** For the purposes of this chapter the following words shall have the following meanings:

(1) "Promptly" means to act as soon as reasonably possible, consistent with institutional goals of safety, security, and rehabilitation.

(2) "Working days" means normal Monday through Friday work days, excluding weekends and holidays.

(3) "Director" means the director of the division of prisons of the Washington state department of corrections or his/her designee.

(4) "Superintendent" means a superintendent of an adult correctional institution or his/her designee.

(5) ("Directors review committee" means a committee appointed by the director;

((7))) "Earned time" means that portion of the inmate's available sentence reduction which, by department of corrections' policy is earned specifically for program participation.

((7))) (6) "Good-conduct time credits" means that portion of an inmate's potential reduction to his/her minimum term which is authorized by RCW 9.95.070 and 72.09.130 and which is gained by not receiving serious infractions as listed in WAC 137-28-030.

((7))) (7) "Earned-early release" means that combined earned time and good-conduct time credits which, together, allow an inmate to earn up to one-third reduction off the minimum term established by the board of prison terms and paroles or sentencing court.

((7))) (8) "Adult correctional institution" and "institution" mean a facility identified in RCW 72.01.050(2) and any similar facility hereafter established.

((7))) (9) "Hearing officer" means a ((trained)) correctional staff member designated by a superintendent to conduct disciplinary hearings.

### AMENDATORY SECTION (Amending Order 84-13, filed 8/14/84, effective 10/10/84)

**WAC 137-28-025 GENERAL INFRACTIONS.** Any of the following types of behavior shall constitute a general infraction:

- 051 – Unauthorized possession of money or other negotiable instruments totaling less than five dollars;
- 052 – Loaning of property for profit;
- 053 – Possession of anything not authorized for retention or receipt by an inmate and/or not issued to him/her by regular institutional channels;
- 055 – ((Intentionally)) Mutilating, altering, defacing or destroying items issued by the state the value of which is less than five dollars;
- 103 – Refusing to obey a lawful order of any staff member;
- 104 – Unexcused absence from work or any assignment;
- 110 – Theft of food;
- 202 – Abusive language directed to a staff member;
- 203 – Lying ((or knowingly providing a false statement)) to a staff member;
- 205 – Participating in a meeting or gathering that has been disapproved in advance, in writing, by the institution administrative staff;
- 210 – Being in an area identified by an institution as an area where the presence of inmates is unauthorized;
- 211 – ((Intentional)) Failure to follow published safety or sanitary regulations;
- 212 – Using any equipment or machinery which is not specifically authorized;
- 213 – Using any equipment or machinery contrary to instructions or posted safety standards;
- 214 – ((Intentional)) Failure to stand count;
- 251 – Smoking where prohibited;
- 301 – Failure to keep one's person and one's quarters in accordance with published and posted standards, rules, or regulations;
- 302 – Tattooing or self-mutilation;
- 303 – Unauthorized use of mail or telephone;
- 305 – Correspondence or conduct with a visitor in violation of published and posted regulations;
- 351 – Giving, selling, or trading money or anything of value to, or accepting or purchasing money or anything of value from another inmate, a member of his/her family, or his/her friend, except when authorized; or
- 400 – Attempting to commit any of the above offenses, or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

### AMENDATORY SECTION (Amending Order 85-06, filed 4/1/85)

**WAC 137-28-030 SERIOUS INFRACTIONS.** Any of the following types of behavior shall constitute a serious infraction:

- 501 – Committing homicide;
- 502 – Assaulting any person which results in the hospitalization of the person assaulted;

- 503 – Extortion, blackmail, demanding or receiving money or anything of value in return for protection against others, or under threat of informing;
- 504 – Engaging in sexual acts with others, with the exception of conjugal visits authorized by the superintendent;
- 505 – Fighting with any person except in self-defense;
- 506 – Threatening another with bodily harm or with any offense against his/her person;
- 507 – Committing an act not otherwise proscribed by these regulations which constitutes a felony or misdemeanor under state or federal law;
- 508 – Throwing objects or material at staff members, institution visitors, or other inmates;
- 521 – Holding a person hostage;
- 525 – Violation of conditions of furlough;
- 550 – Escape or attempted escape;
- 551 – Lying to the disciplinary hearing committee or hearing officer;
- 552 – ((Lying to a staff member with the intention of)) Attempting or causing an innocent person to be penalized or proceeded against by lying to a staff member;
- 553 – ((Intentionally or recklessly)) Setting a fire;
- 554 – ((Intentionally or recklessly)) Destroying or damaging state property, or the property of another person in excess of five dollars;
- 555 – Stealing (theft) ((or knowing))/possession of stolen property;
- 556 – Refusing to submit to a body search when lawfully ordered to do so by a staff member;
- 557 – Refusing and/or failing to work or attend other regularly scheduled assignments;
- 558 – ((Intentionally)) Interfering with a staff member in the performance of his/her duties;
- 559 – Gambling;
- 600 – Tampering with or blocking any locking device or seal;
- 601 – Possession or introduction of an explosive~~((, poison,))~~ or any ammunition or components thereof;
- 602 – Possession or introduction of any gun, firearm, weapon, sharpened instrument, knife, or ((unauthorized tool)) poison or components thereof;
- 603 – Possession, introduction, transfer, or use of any narcotics, controlled substance~~((, or related paraphernalia))~~; possession, transfer, or use of any intoxicant or drug not prescribed or authorized for the inmate or for the inmate to whom transferred, if applicable, by the medical staff; ((or being intoxicated, or under the influence of an unauthorized drug, narcotic, controlled substance, or other intoxicant,))
- 605 – Unauthorized possession of any officer's or staff's clothing;
- 607 – Refusing to submit to a urinalysis when ordered to do so by an authorized staff member;
- 608 – Refusing to submit to a breathalyzer or other standard sobriety test;
- 650 – Rioting;
- 651 – Inciting others to riot;
- 652 – Engaging in or inciting a prohibited group demonstration or developing an unauthorized club or organization;
- 653 – ((Intentionally)) Interfering with the taking of count;
- 654 – Counterfeiting, forging or unauthorized reproduction of any document, article of identification, money, security, or official paper;
- 655 – Making intoxicants, controlled substances, narcotics;
- 656 – Giving or offering any official or staff member or a volunteer a bribe or anything of value for a favor or unauthorized service;
- 657 – Four or more general infractions arising out of separate incidents, all of which occur within the previous six-month period, and which have been reported in writing;
- 658 – ((Intentional)) Failure to perform according to an administrative action taken pursuant to WAC 137-28-050(2), or resisting posthearing sanctions as provided for in WAC 137-28-105;
- 660 – Unauthorized possession of money or other negotiable instruments of five dollars or more;
- 661 – Performing or taking part in performing a marriage in the institution buildings or on the institutional grounds, except when such marriage was approved by the superintendent of the institution, which may, in appropriate cases, also be deemed a violation of a visiting rule that can subject an inmate to the sanction contained in WAC 137-28-105 (1)(d), as well as other sanctions available for serious infractions;
- 662 – Solicitation of goods and/or services for which the provider would expect payment when the inmate knows or should have known he/she has no funds available to pay for such goods or services;
- 663 – Strongarming; use of physical force or coercion for personal gain against any inmate or staff member;
- 700 – Attempting to commit or aiding another person to commit a serious infraction as enumerated in this rule, and such action shall be considered the same as commission of the offense itself; ((or))
- 701 – Commission of any general infraction as enumerated in WAC 137-28-025 or any local rule denominated as a general infraction in such a manner as likely to result in danger to life or limb or to create a risk to the orderly operation of the institution or the health and safety of its inmates, staff, or visitors shall be considered a serious infraction, provided there is substantial evidence which establishes there was such a danger;
- 702 – Possession of an unauthorized tool;
- 703 – Being under the influence of intoxicants, or possession of less than 15 grams of marijuana, or under the influence of an unauthorized drug, narcotic, controlled substance, or other intoxicant; or
- 704 – Assaulting any person which does not result in the hospitalization of the person assaulted.

#### AMENDATORY SECTION (Amending Order 84-13, filed 8/14/84, effective 10/10/84)

WAC 137-28-035 REPORTING TO LAW ENFORCEMENT AUTHORITIES. (1) It shall be the duty of the superintendent to report any violation of a federal, state, or local law to law enforcement authorities.

(2) If a violation has been reported to law enforcement authorities, ((the)) an inmate who has been charged with an infraction shall not be questioned about the incident, outside of a formal disciplinary hearing or an administrative segregation hearing, held pursuant to this chapter, until after it has been determined that no prosecution will occur or until a finding of guilt is made.

(3) The provisions in this rule shall not preclude the reasonable segregation of the inmate in accordance with administrative segregation rules appearing in this chapter.

#### AMENDATORY SECTION (Amending Order 84-13, filed 8/14/84, effective 10/10/84)

WAC 137-28-080 ((PREHEARING PROCEDURES RESTRICTION OF INMATE)) TEMPORARY PREHEARING CONFINEMENT. ((1)) Prior to and during a hearing on a serious infraction:

(a) An inmate in minimum security status may be restricted to a security area without loss of his/her classification status when there is a reasonable belief that he/she is a substantial security risk; or

(b) An inmate who is reasonably believed to be of danger to himself/herself or to others, in serious danger from others, or a danger to the order and security of the institution may, upon written verification by the shift commander that such danger is reasonable believed to exist, be restricted to his/her own room or cell or placed in segregation. Such restriction must be approved by the superintendent within twenty-four hours after the confinement;

(c) An inmate shall not be confined or segregated for more than three working days unless there is an intervening hearing on the incident involved or the inmate or the institution, for good cause, require additional time not to exceed seventy-two hours to prepare its or his/her case for the hearing, or there is an administrative segregation hearing in accordance with the provisions of this chapter.

(2) Confinement or restriction as authorized in this rule shall not limit the right of an inmate to prepare an adequate defense to the charge(s) against him/her.

(3) An inmate confined or restricted as authorized in this section shall be entitled to the same rights as those committed to segregation by the hearing officer following the hearing, as set forth in WAC 137-28-110.

(4) An inmate confined or restricted as authorized in this section shall receive credit for time served in such manner if he/she is subsequently found guilty of the offense by the hearing officer.) (1) Prior to and during a hearing, an inmate may be temporarily confined to his/her cell or room or moved to a higher custody level, including segregation, when it is reasonably believed that the inmate presents a risk to the security of the institution, an escape, a danger to himself/herself or to others, or is in danger from others.

(2) Restricts made under this rule shall be made by the shift commander who shall in writing verify the grounds for temporary prehearing confinement exist and the nature of such grounds. All restricts to a segregation unit must also be approved by the superintendent/acting superintendent within one working day of the confinement.

(3) Confinement imposed under this rule shall not be for more than three working days unless either the inmate or the institution, for good cause, requires additional time not to exceed three working days to prepare for the disciplinary hearing, or there is an administrative segregation hearing in accordance with the requirements of chapter 137-32 WAC.

(4) While confinement under this rule is temporary and only suspends an inmate's previous custody status, inmates confined shall be subject to the same rules and restrictions as other persons in the unit or status under which the inmate is temporarily confined.

(5) An inmate confined under this rule shall be afforded reasonable opportunities to adequately prepare defenses to the charge(s) against him/her.

(6) An inmate confined or restricted as authorized under this rule shall receive credit for time served in such manner if subsequently found guilty.

#### AMENDATORY SECTION (Amending Order 84-13, filed 8/14/84, effective 10/10/84)

**WAC 137-28-090 CONDUCT OF HEARING.** (1) The hearing officer shall assure that the inmate is ((competent to understand)) capable of understanding the charge against him/her ((and)), the nature of the proceedings, and ((to participate therein)) is able to adequately take part in the hearing. ((He/she)) If there is reason to doubt the inmate's understanding or ability, the hearing officer may order a postponement of the hearing ((to secure a report on the competence of the inmate, or take such other action as will assure the fairness and orderliness of the hearing)) in order to obtain additional information on the inmate's mental status. If the report indicates the inmate is not able to understand and/or take part in the proceedings, the hearing officer may proceed with the hearing with the inmate being fully assisted by a staff advisor appointed under WAC 137-28-097.

(2) The inmate shall be present at all stages of the hearing except during the decisional deliberations and any inquiry the hearing officer may wish to make concerning the identity of unidentified witnesses. An inmate may waive his/her presence at a hearing.

(3) The inmate shall be informed that if he/she chooses not to testify in the hearing, his/her silence may be used against him/her.

(4) The clerk shall be responsible for presenting all appropriate paperwork to the hearing officer, but shall not be responsible for orally presenting facts and circumstances surrounding the incident.

(5) The hearing officer shall divide the hearing into two stages consisting of:

- (a) Determination of the guilt or innocence of the inmate; and
- (b) Determination of further action to be taken.

(6) Evidence, testimony, questions, and examinations shall be limited to facts relevant to the alleged infraction, or disposition if an infraction has been found.

(7) Where institution staff members are witnesses against the inmate, ((every effort shall be made to have such witnesses present to testify at the hearing. PROVIDED, HOWEVER, The written statements of such staff members may be considered in their absence upon a showing of good cause)) a written statement from the staff member may be considered by the hearings officer instead of in-person testimony, except where the hearing officer determines that the staff member's presence is necessary to an adequate understanding of the issues in the case.

(8) The hearing officer shall have the authority to cross-examine the staff member reporting the infraction.

(9) The inmate shall be allowed to call witnesses and present documentary evidence in his/her defense when permitting him/her to do so will not be unduly hazardous to institutional safety or correctional goals unless the witness and/or information desired to be presented is deemed to be irrelevant, immaterial, unnecessarily duplicative of other information before the hearing officer, or otherwise found to be unnecessary to the adequate presentation of the inmate's case. The testimony of all witnesses from outside the institution shall be considered in writing. In the event the hearing officer determines that the presence of a witness is appropriate, the hearing officer will call the witnesses or continue the hearing until such time as the witness is available. If the witness is unavailable, the hearing officer may, in his/her discretion, consider the written testimony previously submitted.

(10) The inmate may question witnesses against him/her in the discretion of the hearing officer. If the hearing officer determines that an inmate witness would be subject to risk of harm if his/her identity were disclosed, testimony of the inmate witness may be introduced by the testimony of a staff member to whom the information was provided by the inmate witness and/or the affidavit of the inmate witness. If the staff member to whom the inmate witness provided information is, for good cause, unavailable, the written statement of such uninvolved staff member may be used.

(11) The hearing officer shall, out of the presence of all inmates, inquire as to the identify of any anonymous inmate witness, and as to how the testifying staff member received such information. The refusal of the staff member presenting the testimony of the unidentified inmate witness to identify such inmate shall make the testimony inadmissible unless the refusal to identify the witness is approved by ((a staff member with the rank of captain or above based on that staff member's determination of)) the superintendent or acting superintendent who personally determines that there is good cause for nondisclosure and that the informant is reliable. This decision may not be delegated beyond the superintendent or acting superintendent. The hearing officer must make an independent determination as to the reliability of informant and credibility of information offered, except that the hearing officer may accept an assurance of credibility from ((a staff member)) the superintendent or acting superintendent who approves the nondisclosure of identity of the inmate witness.

#### NEW SECTION

**WAC 137-28-094 LESSER INCLUDED AND RELATED INFRACTIONS.** The hearing officer is authorized to find an inmate guilty of a lesser included offense. Where the evidence suggests an inmate is guilty of an offense not charged and which is not a lesser included offense to a charged offense, the hearing officer may recommend that new charges be filed to address such offenses. The inmate may waive the right to a new proceeding and allow the hearing officer to enter a finding of guilty or not guilty and sanction on the offense.

#### AMENDATORY SECTION (Amending Order 84-13, filed 8/14/84, effective 10/10/84)

**WAC 137-28-097 STAFF ADVISORS.** (1) An inmate may have a staff advisor appointed by the hearing officer to prepare for a hearing. The hearing officer shall consider such factors as the literacy, the complexity of the issue and the inmate's overall ability to speak for himself/herself and adequately present his/her case, prior to assigning a staff advisor. The assignment of a staff advisor will only be necessary when considering such factors, and should not be construed to mean that a staff advisor must be assigned. The staff advisor will be a staff member and not involved in the observation of the infraction. The staff advisor may attend the hearing, but shall not be responsible for presentation of the inmate's case, questioning witnesses, or making other oral presentation unless requested to do so by the hearing officer.

(2) Where a hearing is postponed because of the mental status of an inmate pursuant to this chapter, an advisor shall be appointed immediately and instructed to fully investigate and prepare the inmate's case, should the inmate later be unable to prepare or present his/her own case.

(3) A list of approved staff advisors will be maintained by the superintendent.

(((( ))) (4) Staff advisors shall be provided with:

(a) Copies of the written decisions of the hearing officer and the superintendent in cases in which the staff advisors are involved;

(b) An opportunity to have private conversation with inmates they are representing;

(c) Access to written information to be used by the hearing officer in the fact-finding stage as far in advance of the hearing as is reasonably possible; and  
 (d) Reasonable access to all witnesses.

#### NEW SECTION

**WAC 137-28-107 SANCTIONS AND MENTAL STATUS.** In determining an appropriate sanction, the hearing officer should give consideration to the inmate's mental health and his/her intellectual, emotional, and maturity levels and what effect a particular sanction might have on the inmate in light of such factors. The hearing officer may request the assistance of other department staff in determining appropriate sanctions.

**WSR 89-01-105**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**

[Filed December 21, 1988]

Notice is hereby given that the Department of Ecology will not take further action under WSR 88-12-068 and 88-17-125 to amend WAC 173-19-2516, Normandy Park, city of.

This notice is given pursuant to WAC 1-12-033. The Department of Ecology may, at a later date, file a new notice on intent to amend this program.

Fred Olson  
Deputy Director

**WSR 89-01-106**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning:

Amd WAC 173-19-240 Jefferson County.  
 Amd WAC 173-19-2401 Port Townsend, city of;

that the agency will at 7:00 p.m., Tuesday, January 24, 1989, in the 3rd Floor Conference Room, Jefferson County Courthouse, 1820 Jefferson Street, Port Townsend, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 7, 1989.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 2, 1989.

Dated: December 19, 1989 [1988]  
 By: Fred Olson  
Deputy Director

#### **STATEMENT OF PURPOSE**

**Titles:** Amending WAC 173-19-240 Jefferson County and 173-19-2401 Port Townsend, city of.

**Description of Purpose:** Adoption of revised shoreline master programs into state master program, chapter 173-19 WAC.

**Statutory Authority:** RCW 90.58.120 and 90.58.200.

**Summary of Rule:** The amendments adopt revisions to the shoreline master program for Jefferson County and the city of Port Townsend.

**Reasons to Support Proposed Action:** Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

**Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Barry Wenger, (206) 459-6767, WDOE, Mailstop PV-11, Olympia, Washington 98504.

**Person or Organization Proposing Rule, and Whether Public, Private or Governmental:** Department of Ecology, state government.

**Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters:** None.

**Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action:** Not applicable.

**Small Business Economic Impact Statement:** Not applicable.

**AMENDATORY SECTION** (Amending Order DE 85-05, filed 4/15/85)

**WAC 173-19-240 JEFFERSON COUNTY.** Jefferson County master program approved December 20, 1974. Revision approved August 12, 1982. Revision approved July 6, 1983. Revision approved March 7, 1989.

**AMENDATORY SECTION** (Amending Order DE 79-34, filed 1/30/80)

**WAC 173-19-2401 PORT TOWNSEND, CITY OF.** City of Port Townsend master program approved December 20, 1974. Revision approved March 7, 1989.

**WSR 89-01-107**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Snohomish County, amending WAC 173-19-390;

that the agency will at 7:00 p.m., Thursday, January 26, 1989, in the City Council Chambers, Everett City Hall, 3002 Wetmore, Everett, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 7, 1989.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 3, 1989.

Dated: December 19, 1988  
By: Fred Olson  
Deputy Director

#### STATEMENT OF PURPOSE

Title: Amending WAC 173-19-390 Snohomish County.

Description of Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: The amendment adopts a revision to the shoreline master program for Snohomish County.

Reasons to Support Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry Wenger, (206) 459-6767, WDOE, mailstop PV-11, Olympia, Washington, 98504.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Not applicable.

Small Business Economic Impact Statement: Not applicable.

#### AMENDATORY SECTION (Amending Order DE 86-41, filed 2/11/87)

WAC 173-19-390 SNOHOMISH COUNTY. Snohomish County master program approved December 27, 1974. Revision approved June 16, 1978. Revision approved June 23, 1982. Revision approved August 25, 1983. Revision approved January 4, 1984. (~~(f) Revision approved September 11, 1986.}}~~) Revision approved September 11, 1986. Revision approved February 11, 1987. Revision approved March 7, 1989.

#### WSR 89-01-108 PROPOSED RULES DEPARTMENT OF ECOLOGY

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Lakes coming under purview of chapter 90.58 RCW—Thurston County lakes, amending WAC 173-20-700;

that the agency will at 7:00 p.m., Wednesday, January 25, 1989, in the City Council Chambers, Olympia City Hall, 900 Plum Street S.E., Olympia, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 7, 1989.

The authority under which these rules are proposed is RCW 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 1, 1989.

Dated: December 19, 1988  
By: Fred Olson  
Deputy Director

#### STATEMENT OF PURPOSE

Title: Amending WAC 173-20-700 Lakes coming under purview of chapter 90.58 RCW—Thurston County lakes.

Description of Purpose: Amendment of WAC 173-20-700.

Statutory Authority: RCW 90.58.200.

Summary of Rule: The amendment would remove Grass Lake from the list of Thurston County lakes constituting shorelines of the state subject to the Shoreline Management Act, chapter 90.58 RCW.

Reasons to Support Proposed Action: A petition was initially submitted to ecology on March 21, 1988, to request the amendment to WAC 173-20-700 described above. The Department of Ecology is initiating rule-making proceedings as provided under RCW 34.04.060 to receive written and oral submissions concerning this proposed amendment.

Agency Personnel Responsible for Drafting: Kathleen Ryan, WDOE Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6776; Implementation and Enforcement: Shorelands and Coastal Zone Management Program, WDOE, Mailstop PV-11, Olympia, Washington 98504.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: The Department of Ecology, a state government agency, is proposing consideration of adoption of this rule based on a petition initially submitted on March 21, 1988, by First City Development Company, 800 Fifth Avenue, Suite 4170, Seattle, WA 98104, a private entity.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Not applicable.

Small Business Impact Statement: Not applicable.

Economic Impact Statement: Not applicable.

#### AMENDATORY SECTION (Amending Order DE 85-05, filed 4/15/85)

WAC 173-20-700 LAKES COMING UNDER PURVIEW OF CHAPTER 90.58 RCW—THURSTON COUNTY LAKES.

LOCATION	SECTION	NAME	AREA (ACRES)	USE
(1) T16N-R1W	13-E	McIntosh Lk.	115.8	R
(2) T16N-R2W	3-NE1/4	Deep Lk.	66.1	R
(3) T17N-R1W	28-K	Bushman Lk. (Tempo)	40.0	R
(4) T17N-R1W	33-E	Offutt Lk.	192.0	R
(5) T17N-R2W	1-L/P	Munn Lk.	29.8	R
(6) T17N-R2W	33-A/H	Scott Lake	66.8	R
(7) T17N-R2W	35-H/J	Pitman Lk.	27.0	R
(8) T18N-R1W	22-H	Long Lk.	311.0	R

LOCATION	SECTION	NAME	AREA (ACRES)	USE
(9) T18N-R1W (10) T18N-R1W	27-L 29-B/G	Hicks Lk. Chambers Lk. (Little Chambers Lk.)	171.3 49.1	R R
(11) T18N-R1W	29-C	Chambers Lk. (Russel Lk.)	72.5	R
(12) T18N-R1W	33-H/J	Southwick Lk.	37.1	R
(13) T18N-R1W	35-P	Patterson Lk.	257.0	R
(14) T18N-R2W	15-J	Capitol Lk.	306.0	R
(15) ((T18N-R2W-16-W1/2)) (16) ((T18N-R2W-20-H/J))		Grass Lk. Ken Lk.	120.0 24.6	R R
(16) T18N-R2W	22-G	Percival Lk.	22.4	R
(17) T18N-R2W	32-C	Black Lk.	576.1	R
(18) T18N-R2W	36-B/C	Ward Lake	66.8	R
(19) T18N-R2W	36-J	Hewitt Lk.	26.6	R
(20) T18N-R4W	13-A	Summit Lk.	522.6	R
(21) T16N-R2E	29-B	Lawrence Lk.	339.2	R
(22) T16N-R3E	31-S1/2	Clear Lk.	172.8	R
(23) T16N-R3E	32-B/C	Elbow Lk.	36.0	R
(24) T16N-R3E	32-R	Bald Hill Lk.	44.8	R
(25) T18N-R1E	31-32	St. Clair Lk.	244.7	R
(26) T17N-R1W	11	Sunwood Lk.	23.0	D
(27) T15N-R1E	17	Skookumchuck Res.	550.0	D

**WSR 89-01-109**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning:

Amd WAC 173-158-030 Definitions.

Amd WAC 173-158-060 Additional state requirements;

that the agency will at 7:00 p.m., Monday, January 30, 1989, in the Pearsall Multi-Services Building, 2109 Sumner Avenue, Aberdeen, WA, and at 7:00 p.m., Wednesday, February 1, 1989, Tukwila City Hall, Council Chambers, 6200 Southcenter Boulevard, Tukwila, WA, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 7, 1989.

The authority under which these rules are proposed is chapters 43.21 and 34.04 RCW.

The specific statute these rules are intended to implement is RCW 86.16.061.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 8, 1989.

Dated: December 21, 1988  
By: Fred Olson  
Deputy Director

### STATEMENT OF PURPOSE

Title: Amending WAC 173-158-030 and 173-158-060 relating to flood plain management.

Description of Purpose: To delete WAC 173-158-060(1) which prohibited certain construction activities within coastal high hazard areas located adjacent to the Pacific Ocean.

Summary of Rule: Deleting WAC 173-158-060(1) will remove the existing prohibition identified in this section as an additional state requirement. The definitions which are contained only in WAC 173-158-060(1) are also removed from WAC 173-158-030.

Reasons Supporting Proposed Action: The existing construction requirements for development within the affected area should ensure reasonable safety from flood damages. The affected property owners were not provided adequate notice prior to the establishment of the prohibition of construction in these areas.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jerry Louthain, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6791.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: N/A.

### AMENDATORY SECTION (Amending Order 88-6, filed 5/4/88)

WAC 173-158-030 DEFINITIONS. For the purposes of this chapter the following definitions shall apply:

(1) "Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year. Also referred to as the "one hundred year flood."

(2) "Best available information" means in the absence of official flood insurance rate map data, communities can use data from other federal, state, or other sources provided this data has either been generated using technically defensible methods or is based on reasonable historical analysis and experience.

(3) ((Coastal high hazard area" means the area subject to high velocity waters, including but not limited to storm surge or tsunamis. This area is designated on a FIRM as Zone V1-30, VE or V.

((4))) "Critical facility" means a facility for which even a slight chance of flooding would be too great. Critical facilities include but are not limited to schools, hospitals, police, fire and emergency response installations, nursing homes, installations which produce, use, or store hazardous materials or hazardous waste.

((5))) (4) "Designated floodway" means the regulatory floodway which has been delineated on the flood insurance rate map (FIRM) or the flood boundary/floodway map (FBFM) of a community's flood insurance study and is included in the community's flood damage prevention ordinance.

((6))) (5) "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(a) The overflow of inland or tidal waters; and/or  
(b) The unusual and rapid accumulation of runoff of surface waters from any source.

((7))) (6) "Flood insurance rate map (FIRM)" means the official map on which the federal insurance administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

((8))) (7) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

((9))) (8) "Flood protection elevation" means one foot above the base flood elevation.

((10))) (9) "New construction" means structures for which the "start of construction" commenced on or after the effective date of the local ordinance.

((11))) (10) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or any agency of the state or local governmental unit however designated.

((12))) (11) "Special flood hazard area" means an area subject to a base or one hundred year flood; areas of special flood hazard are shown on a flood hazard boundary map or flood insurance rate map as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, or V.

((13))) (12) "Structure" means a walled and roofed building, including a gas or liquid storage tank that is principally above ground. Manufactured homes are considered structures.

((14))) (13) "Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, or filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

((15))) (14) "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

(a) Before the improvement or repair is started; or

(b) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

(c) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

(d) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

((16))) (15) "Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

((17))) "Water dependent" means a water dependent structure for commerce or industry is one which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

((18))) (16) "Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Wetlands have one or more of the following three attributes: (a) At least periodically, the land supports predominantly hydrophytes; (b) the substrate is predominantly undrained hydric soil; and (c) the substrate is nonsoils and is saturated with water or covered by shallow water at some time during the growing season of each year.

#### AMENDATORY SECTION (Amending Order 88-6, filed 5/4/88)

WAC 173-158-060 ADDITIONAL STATE REQUIREMENTS. The following state requirements are established in accordance with RCW 86.16.031(7):

(1) ((Coastal high hazard areas. Communities with designated coastal high hazard areas (V-zones) from Cape Disappointment to Cape Flattery along the Pacific Ocean shall:

(a) Prohibit new or substantially improved construction in the above designated V-zones; exceptions are for needed water dependent structures or structures that facilitate public recreational access to the

shore. Structures which require siting in the V-zone should, to the extent possible, be required to be sited landward of the primary dune if an active dune system is associated with the V-zone.

(b) Prohibit any alteration of dunes in the above designated V-zones which could increase potential flood damage; this restriction includes prohibiting any modification or alteration or disturbance of vegetative cover associated with dunes located in designated V-zones.

(2)) Critical facilities. Critical facilities should be afforded additional flood protection due to their nature. Communities therefore shall impose minimum standards which are in addition to those used for other types of development.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the one hundred year floodplain as identified on the community's FIRM. Construction of new critical facilities shall be permissible within the one hundred year frequency floodplain if no feasible alternative site is available. Critical facilities constructed within the one hundred year frequency floodplain shall have the lowest floor elevated to three or more feet above the level of the one hundred year frequency flood. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

Access routes elevated to or above the level of the one hundred year frequency flood shall be provided to all critical facilities to the extent possible.

((3))) (2) Flood protection elevation. In order to account for the impacts of future development on flood depths, and in order to ensure the least expensive insurance rates for floodplain occupants, all development within special flood hazard areas which requires elevation or floodproofing shall be elevated or flood proofed to or above the flood protection elevation (base flood elevation plus one foot).

#### WSR 89-01-110

#### PROPOSED RULES

#### DEPARTMENT OF AGRICULTURE

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules relating to the use of pesticides for groundwater protection, chapter 16-228 WAC;

that the agency will at 9:30 a.m., Tuesday, January 24, 1989, in the General Administration Building, Auditorium, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 17, 1989.

The authority under which these rules are proposed is chapters 17.21 and 15.58 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 21, 1988

By: Art G. Losey  
Assistant Director

#### STATEMENT OF PURPOSE

##### Title: Chapter 16-228 WAC.

Description of Purpose: Restrictions on the use of pesticides to protect public health, beneficial insects and prevent damage to nontargeted crops.

Statutory Authority: Chapters 17.21 and 15.58 RCW.

Summary of Rules: Restricts the use of certain products that have been identified as being potential contaminants of groundwater in this state, and restricts the

use of certain chemicals to certified applicators only with recordkeeping requirements.

Reasons for Supporting Proposed Action: For the protection of groundwater in this state.

Agency Personnel Responsible for Drafting, Implementing and Enforcing These Rules: Art G. Losey, Assistant Director, Chemical and Plant Division, 406 General Administration Building, AX-41, Olympia, WA 98504, phone (206) 753-5064.

Persons Proposing Rules: Washington State Department of Agriculture.

Agency Comments: None.

Rules Necessary to Comply with Federal Law: No.

Small Business Economic Impact Statement: None.

#### AMENDATORY SECTION (Amending Order 1817, filed 4/10/84)

**WAC 16-228-162 ((HIGH VOLATILE ESTER AND DUST FORMULATIONS PROHIBITED)) PHENOXY HERBICIDE RESTRICTIONS.** (1) The distribution, use and application of all high volatile ester and dust formulations of phenoxy herbicides shall be prohibited throughout the state: PROVIDED, That this section shall not apply to dust or granular formulations packaged in shaker cans intended for home and garden use (PROVIDED FURTHER, That high volatile ester formulations of 2,4-D may not be registered for home and garden use).

(2) Pesticides dealers shall make available to the purchaser a copy of the rules pertaining to the use of dicamba and/or phenoxy hormone-type herbicides, including 2,4-D and MCPA, in the area in which the material will be applied.

#### NEW SECTION

**WAC 16-228-164 STATE RESTRICTED USE PESTICIDES FOR USE BY CERTIFIED APPLICATORS ONLY.** (1) Pesticides containing the following active ingredients are hereby declared state restricted use pesticides for the protection of groundwater and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator. Any EPA restricted use pesticide not listed in this section shall be distributed and used only under these restrictions.

Common Chemical Name	Also Known As*
actifluorfen	Blazer
alachlor	Lasso
aldicarb	Temik
atrazine	
bentazon	Basagran
bromacil	Hyvar, Krovar
carbofuran	Furadan
cyanazine	Bladex
2,4-D	
dicamba	Banvel
1,3-dicloropropene	Telone
disulfoton	Di-Syston
diuron	Karmex, Krovar
fenamiphos	Nemacur
heptachlor	
hexazinone	Velpar
methyl bromide	
metolachlor	Dual
metribuzin	Lexone, Sencor
oxamyl	Vydate
picloram	Tordon
prometon	Pramitol
pronamide	Kerb
propoxur	Baygon
simazine	Princep
tebuthiuron	Spike
terbacil	Sinbar
trifluralin	Treflan

\*This column is to be used as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) Pesticides which are not classified as EPA restricted use pesticides and which are labeled only for the following uses are exempt from the requirements of this section:

- (a) Home and garden use;
- (b) Pet products;
- (c) Cooling tower, air conditioner, and humidifier biocides;
- (d) Use with wholly enclosed structures (with floors) or fumigation chambers.

(3) Pesticide dealers shall keep records of distribution of state restricted use pesticides specified by common chemical name in subsection (1) of this section for a period of five years from the date of distribution, and shall keep records of distribution of the remaining EPA restricted use pesticides for a period of one year from the date of distribution. The records shall contain the following information:

- (a) Name and address of purchaser;
- (b) Name and address of certified applicator (if different from (a) above);
- (c) Name of authorized agent (if applicable);
- (d) Brand and specific pesticide name and/or EPA registration number;
- (e) Number of pounds or gallons of the pesticide distributed;
- (f) Date of distribution;
- (g) Certified applicator number.

(4) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides listed subsection (1) of this section by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license or certification number.

(5) Certified applicators shall keep records of applications of state restricted use pesticides specified by common chemical name in subsection (1) of this section for a period of five years from the date of application, and the records shall contain the following information:

- (a) Name and address of the certified applicator;
- (b) Location of field or treatment site;
- (c) Number of acres (or other appropriate area measurement);
- (d) Crop or site (such as: roadside);
- (e) Date of application;
- (f) Number of pounds or gallons of formulation applied per acre (or equivalent measurement);
- (g) Brand and specific name of pesticide applied;
- (h) pounds per gallon or percent active ingredient.

(i) All certified applicators except private applicators are also required to keep any additional information required by RCW 17.21.100 and WAC 16-228-190.

(6) Records required by subsections (3) and (5) of this section shall be furnished to the director immediately upon request: PROVIDED, That the director may require the submission of application records of any restricted use pesticide within prescribed areas within fifteen days of use.

#### NEW SECTION

**WAC 16-228-166 AQUATIC PESTICIDES.** (1) All pesticide formulations labeled for application onto or into water to control pests in or on water are hereby declared state restricted use pesticides and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator.

(2) Pesticides which are not classified as EPA restricted use pesticides and which are labeled only for the following uses shall be exempt from this section:

- (a) Swimming pools
  - (b) Wholly impounded ornamental pools or fountains
  - (c) Aquariums
  - (d) Closed plumbing and sewage systems
  - (e) Enclosed food processing systems
  - (f) Air conditioners, humidifiers, and cooling towers
  - (g) Aquatic environments in states other than Washington
- (3) Distribution of pesticides bearing combined labeling for uses into or onto water and for other uses may be made by licensed pesticides dealers to noncertified applicators, if the dealer indicates on the sales slip or invoice that the purchaser of the pesticide agrees that it is not to be applied into or onto water. If requested by the department, dealers

shall furnish records on the sales of pesticides labeled for application into or onto water, whether sold for that use or not. Records shall include the name and address of the purchaser, the complete product name and/or EPA registration number of the pesticide and the amount purchased.

(4) Licensed dealers shall keep records as specified in WAC 16-228-164(3) on each distribution of pesticides designated in subsection (1) of this section. The director shall have access to these records immediately upon request.

(5) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides designated in subsection (1) of this section by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license or certification number.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-228-165 State restricted use pesticides for use by certified applicators only.

### WSR 89-01-111 PROPOSED RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning:

Amd WAC 296-125-043 Minimum wages for minors.  
Amd WAC 296-126-020 Minimum wages—Minors.

The proposed rules are intended to establish a new minimum wage for persons under the age of 18. WAC 296-125-043(1) and 296-126-020(1) establishes a minimum wage of 85% per hour of the minimum wage established for adults, age 18 and over, pursuant to RCW 49.46.020;

that the agency will at 1:00 p.m., Tuesday, January 24, 1989, in the Red Lion Inn, Yakima Valley, Yakima, Washington, and at 9:00 a.m., Wednesday, January 25, 1989, in the OB-2 Auditorium, Office Building Number 2, Olympia, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 24, 1989.

The authority under which these rules are proposed is chapters 49.12 and 49.46 RCW and RCW 43.22.270.

The specific statute these rules are intended to implement is chapters 49.12 and 49.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 21, 1988  
By: Joseph A. Dear  
Director

#### STATEMENT OF PURPOSE

Title and Number of Rule Chapter: WAC 296-125-043 Minimum wages for minors; and 296-126-020 Minimum wages—Minors.

Statutory Authority: Chapters 49.12 and 49.46 RCW and RCW 43.22.270.

Specific Statutes that Rules are Intended to Implement: Chapters 49.12 and 49.46 RCW, Laws of 1988.

Summary of the Rules: WAC 296-125-043 and 296-126-020 provides that persons under the age of 18 receive a minimum wage of at least 85% of the adult minimum wage established pursuant to RCW 49.46.020.

Reasons Supporting the Proposed Rule: The minimum wage for persons under the age of 18 is currently \$1.75 per hour and has not been changed since January 1, 1975. The passage of Initiative 518 has created a new adult minimum wage of \$3.85 per hour effective January 1, 1989, and increases to \$4.25 per hour effective January 1, 1990. The proposed rule is intended to increase the minimum wage for minors and be kept more in accordance with the adult minimum wage.

Agency Person Responsible for Drafting, Implementation and Enforcement of the Rules: Mark M. McDermott, Assistant Director, Employment Standards, Apprenticeship, Crime Victims Division, 925 Plum Street, Olympia, WA 98504, (206) 753-3487.

Name of the Person or Organization, Whether Private, Public or Governmental that is Proposing the Rules: Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation and Fiscal Matters Pertaining to the Rules: None.

The rules are not necessary to comply with a federal law or federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rules or Their Purpose: None.

Small Business Economic Impact Statement: The Washington Regulatory Fairness Act, chapter 19.58 RCW, requires that proposed rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of the businesses in any one industry shall be reviewed to determine if the cost of coming into compliance with the proposed agency rules will create a disproportionately higher economic burden on small businesses in comparison with the cost of compliance for large business. The act defines a small business as an employer with fifty or fewer employees.

With respect to WAC 296-125-043 and 296-126-020 the findings of the agency are as follows: The passage of Initiative 518 requires that employers operating businesses in Washington pay all workers, 18 years of age or older, a minimum wage of at least \$3.85 per hour effective January 1, 1989, and at least \$4.25 per hour effective January 1, 1990. The law also requires that if a federal minimum wage exceeds the state rate, the higher rate is to be paid to eligible workers. The United States Fair Labor Standards Act (FLSA) requires that a minimum wage of \$3.35 be paid to all workers of firms covered by the act. The law states that if a state minimum wage exceeds the FLSA standards, the higher rate must be paid. The proposed minimum wage for minors will be

\$3.27 in 1989 and \$3.61 in 1990. Washington state industrial welfare and minimum wage laws provide allowances for the director to issue variances and subminimum wage certificates to employers, when it is determined warranted. Therefore, businesses may seek exceptions to minimum rates for purposes of paying training or learning wages.

**AMENDATORY SECTION** (Amending Order 76-15, filed 5/17/76)

**WAC 296-125-043 MINIMUM WAGES FOR MINORS.** (1) Every employer shall pay to each of his or her minor employees ((not less than one dollar and seventy-five cents per hour)) a rate of pay per hour that is not less than eighty-five percent of the hourly rate required by RCW 49.46.020 for employees eighteen years of age or older, whether computed on an hourly, commission, piecework or other basis, except as may be otherwise provided under this chapter.

(2) These minimum wage provisions shall not apply to handicapped minors for whom special handicapped minor work permits have been issued as provided in RCW 49.12.110. The handicapped rate therein shall be set at a rate designed to adequately reflect the individual's earning capacity.

(3) These minimum wage provisions shall not apply when a minor student is in a work place to carry out an occupational training experience assignment directly supervised on the premises by a school official or an employer under contract with a school and when no appreciable benefit is rendered to the employer by the presence of the minor student.

**AMENDATORY SECTION** (Amending Order 74-9, filed 3/13/74, effective 4/15/74)

**WAC 296-126-020 MINIMUM WAGES—MINORS.** Except where a higher minimum wage is required by Washington state or federal law, (1) every employer shall pay to each of his or her minor employees wages at a rate of ((not less than one dollar and sixty cents per hour, and beginning the calendar year of 1975 not less than one dollar and seventy-five cents per hour)) pay per hour that is not less than eighty-five percent of the hourly rate required by RCW 49.46.020 for employees eighteen years of age or older, whether computed on an hourly, commission, piecework or other basis, except as may be otherwise provided under this chapter.

(2) These provisions shall not apply to handicapped minors for whom special handicapped minor work permits have been issued as provided in RCW 49.12.110. The handicapped rate therein shall be set at a rate designed to adequately reflect the individual's earning capacity.

**WSR 89-01-112  
PROPOSED RULES  
HORSE RACING COMMISSION**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Horse Racing Commission intends to adopt, amend, or repeal rules concerning:

Amd WAC 260-70-010 Definitions applicable to chapter 260-70 WAC.

Amd WAC 260-70-090 Permitted levels of NSAIDS;

that the agency will at 1:00, Tuesday, January 24, 1989, in the Washington Thoroughbred Association Pavilion, 2600 S.W. Oakdale, Southeast Corner of Longacres Race Course, Renton, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.16.020 and 67.16.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 20, 1989.

Dated: December 21, 1988  
By: Larry Watters  
for John Crowley  
Executive Secretary

**STATEMENT OF PURPOSE**

In the matter of adopting and amending WAC 260-70-010 and 260-70-090.

The amendments to WAC 260-70-010 and 260-70-090 are proposed as indicated in the notice of intention to adopt rules filed this date with the code reviser.

The adoption of these amendments is proposed pursuant to RCW 67.16.020 and 67.16.040 under the general rule-making authority of the Washington Horse Racing Commission.

The enactment of the amendments are for the reasons set forth below: The agency has determined that it is important to clarify the rules regarding drugs and medication which are prohibited. These amendments will further this goal by eliminating a substance that is not necessary.

**Preparation of the Amendments:** John Crowley, Executive Secretary, Suites B and C, 210 East Union Avenue, Olympia, WA 98504, phone (206) 753-3741 and staff were responsible for the drafting of the new amendments, and are to be responsible for their implementation and enforcement.

The proponent of the amendments is the Washington Horse Racing Commission, Warren Chinn, Chairman.

The amendments are not necessary as the result of action by the legislature or court.

**Small Business Economic Impact Statement:** The enactments and amendments listed above are not anticipated to affect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

**AMENDATORY SECTION** (Amending Resolution No. 87-03, filed 7/8/87)

**WAC 260-70-010 DEFINITIONS APPLICABLE TO CHAPTER 260-70 WAC.** As used in this chapter, unless the context clearly requires a different meaning, the following terms shall have the following meanings:

(1) "Permitted medication" or "medication" means and includes any substance used to treat or prevent disease, relieve pain, or improve health with the exception of prohibited drugs.

(2) "Prohibited drugs" means (a) any medication or metabolic derivatives thereof which is an analgesic, including narcotics or which could serve as a local anesthetic, or tranquilizer, or which could stimulate or depress the circulatory, respiratory, or central nervous system of a horse, or bronchial dilators; or (b) any interfering substance.

(3) "Interfering substance" or "interfere" means and refers to any medication which might mask or screen the presence of prohibited drugs or prevent or delay testing procedures. Such terms include permitted medication when used in quantities which might mask or screen the presence of prohibited drugs or prevent or delay testing procedures.

(4) "Approved nonsteroidal anti-inflammatory drug (NSAID)" includes and is limited to phenylbutazone or oxyphenylbutazone; ((flunixin;)) naproxen and meclofenamic acid used in the manner described in WAC 260-70-090.

(5) "Bleeder" means a horse which hemorrhages from a nostril or into its trachea during a race or during exercise or within one hour of the race or exercise.

(6) "Bleeder list" means a tabulation of all bleeders to be maintained by the commission veterinarian.

#### AMENDATORY SECTION (Amending Resolution No. 87-03, filed 7/8/87)

**WAC 260-70-090 PERMITTED LEVEL OF APPROVED NSAIDS.** Trainers using permitted medication in the care of their horses are subject to all rules governing such medications. Those using approved NSAIDS are also subject to these additional rules:

(1) **PHENYLBUTAZONE** or **OXYPHENYLBUTAZONE** shall be administered in such dosage amount that the test sample shall contain not more than 5 micrograms of phenylbutazone or 5 micrograms of oxyphenylbutazone per milliliter of blood plasma or more than 165 micrograms of the drug substance, its metabolites and analogs per milliliter of urine.

(2) **NAPROXEN** shall be administered in such dosage amount that the test sample shall contain not more than 5 micrograms of the drug substance, its metabolites or analogs per milliliter of blood plasma or more than 165 micrograms of the drug substance, its metabolites or analogs per milliliter of urine.

(3) ~~((PROMIXIN))~~ shall be administered in such dosage amount that the test sample shall not contain more than 1 microgram of the drug substance, its metabolites or analogs per milliliter of blood plasma.

(4)) **MECLOFENAMIC ACID** shall be administered in such dosage amount that the test sample shall contain not more than 1 microgram of the drug substance, its metabolites or analogs per milliliter of blood plasma.

((5))) (4) No horse on a program of permitted medication shall be permitted to race without such medication.

#### **WSR 89-01-113 PROPOSED RULES DEPARTMENT OF REVENUE**

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning valuation procedures and standards, amending WAC 458-30-260;

that the agency will at 10:00 a.m., Tuesday, January 24, 1989, in the Department of Revenue Office, 6004 Capitol Boulevard, Tumwater WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 84.08.010(2), 84.34.065 and 84.34.141.

The specific statute these rules are intended to implement is RCW 84.34.065.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 21, 1988

By: Steven L. Frisch  
Assistant Director

#### **STATEMENT OF PURPOSE**

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: **WAC 458-30-260 Valuation procedures and standards.**

**Purpose:** To establish an interest rate and a component for property tax calculations.

**Statutory Authority:** RCW 84.34.141 requires the Department of Revenue to adopt rules to implement RCW 84.34.065.

**Summary and Reasons for the Rule:** The interest rate and component for property taxes are used to calculate the value of farm and agricultural land.

**Drafter of the Rule:** Larry D. Stout, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5539; **Rule Implementation and Enforcement:** Steve Frisch, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5503.

**Proposer of the Rule:** Department of Revenue, Olympia, Washington 98504.

**Comments and Recommendations:** None.

**Federal Law or Court Action Citation:** None.

**Small Business Impact:** None.

#### AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

**WAC 458-30-260 VALUATION PROCEDURES AND STANDARDS.** The assessor shall use all available information to determine the productive capacity of classified farm and agricultural land. Consideration shall be given to actual production within an area, averaged over not less than the immediate past five years. Farm production information and other related data shall be available to the assessor as provided by the act and this chapter. Reliable statistical sources may also be used. A soil capability analysis may be considered in determining the productive or earning capacity of the land.

In determining the current use value of farm and agricultural land, the assessor shall use the capitalization of income method described in the following subsections of this section.

(1) The net cash rental to be capitalized shall be determined as follows:

(a) The assessor shall use leases of farm land paid on an annual basis, in cash or its equivalent. The land must have been available for lease for a period of at least three years to any reliable person without unreasonable restrictions on its use for production of agricultural crops. If leases do not meet these requirements, they will not be used. The lease payments shall be averaged as follows:

(i) Each annual lease payment, or rent, shall be averaged for the typical crops within that area; and

(ii) The typical cash rental for each year shall be averaged for not less than the last five years. A deduction shall be allowed for the customary costs that are paid by the land owner. All costs and expenses shall be averaged over the immediate past five years. If the land is irrigated by a sprinkler system, an amount for the irrigation equipment shall be deducted from the gross cash rent to determine the net rent for the land only. However, such irrigation equipment shall be placed on the assessment roll at its true and fair value.

(b) Should there be an insufficient number of leases available to adequately determine net cash rental, it shall be established by determining:

(i) The landlord's share of the cash value of typical or usual crops grown on land of similar quality. The cash value shall include government subsidies if they are based on the productive capacity of the land. The acreage kept out of production because of these subsidies shall be included in the total acreage valued by capitalization of income;

(ii) The landlord's share of the standard cost of production will be determined and deducted from his or her share of the cash value established pursuant to this subsection.

The resulting amount shall be averaged for not less than five crop years.

(c) When the land being valued is not in use for commercial agricultural purposes, or where the available information is insufficient to determine an agricultural income, the assessor shall compute a reasonable amount to be capitalized as income, based on the land's estimated productive capacity.

(2) The capitalization rate to be used in valuing land shall be the sum of the following:

(a) An interest rate of 12.0 percent ((component to be determined by the department and certified to the assessor on or before January 1st of each year, and shall be comparable to interest rates charged on long-term loans secured by mortgages on farms or agricultural lands over the last five years)); plus

(b) a component for property taxes ((which shall be determined by: (i) Dividing the total assessed value of the county into the total taxes levied within the county for the year previous to the assessment; and

(ii) Multiplying the dividend by one hundred percent.))

in the following amounts for each county:

Adams	1.33%	Lewis	1.23%
Asotin	1.50%	Lincoln	1.33%
Benton	1.49%	Mason	1.14%
Chelan	1.38%	Okanogan	1.42%
Clallam	1.17%	Pacific	1.42%
Clark	1.28%	Pend Orielle	1.22%
Columbia	1.14%	Pierce	1.59%
Cowlitz	1.16%	San Juan	0.92%
Douglas	1.31%	Skagit	1.25%
Ferry	0.95%	Skamania	1.37%
Franklin	1.66%	Snohomish	1.22%
Garfield	1.70%	Spokane	1.45%
Grant	1.36%	Stevens	1.15%
Grays Harbor	1.36%	Thurston	1.54%
Island	0.96%	Wahkiakum	1.22%
Jefferson	1.07%	Walla Walla	1.29%
King	1.33%	Whatcom	1.24%
Kitsap	1.19%	Whitman	1.56%
Kittitas	1.15%	Yakima	1.27%
Klickitat	1.34%		

(3) The value of the agricultural land shall be the net cash rental of the land divided by the capitalization rate determined in subsection (2) of this section.

(4) The department's determination of the interest rate established in subsection (2)(a) of this section may be appealed to the state board of tax appeals not later than thirty days after the notice has been issued by:

(a) An owner of a parcel(s) of land classified as farm and agricultural; or

(b) The assessor of any county containing parcels of lands that are classified as farm and agricultural.

(5) Land presently used as a residential building site shall be valued at its true and fair value as a homesite in accordance with WAC 458-12-301. However, land that migratory farm labor accommodations, bunkhouses, storeyards, barns, machine sheds, and similar type structures are located upon shall not be considered as a residential building site.

(6) Except for a parcel(s) of land classified under a rating system, a parcel of land classified as open space shall have an assessed value not less than what it would have if classified as farm and agricultural land.

(7) Timber land shall be valued according to chapter 84.33 RCW.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 89-01-114  
PROPOSED RULES  
DEPARTMENT OF REVENUE**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning five year average grain price, new WAC 458-30-261;

that the agency will at 10:00 a.m., Tuesday, January 24, 1989, in the Department of Revenue Office, 6004 Capitol Boulevard, Tumwater, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 84.08.010(2).

The specific statute these rules are intended to implement is RCW 84.34.065.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 21, 1988

By: Steven L. Frisch  
Assistant Director

**STATEMENT OF PURPOSE**

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: WAC 458-30-261 Five year average grain price.

Purpose: To provide a five year average price for wheat and barley.

Statutory Authority: RCW 84.08.010(2).

Summary and Reasons for the Rule: This rule establishes a five year average price for wheat and barley which may be used by assessors to value farm and agricultural land.

Drafter of the Rule: Larry D. Stout, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5539; Rule Implementation and Enforcement: Steve Frisch, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: None.

**NEW SECTION**

WAC 458-30-261 – FIVE YEAR AVERAGE GRAIN PRICES. (1) The five year average price for wheat for 1989 assessments is \$3.50 per bushel. The five year average price for barley for 1989 assessments is \$97.00 per ton.

**WSR 89-01-115  
PROPOSED RULES  
DEPARTMENT OF REVENUE**  
[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning rates of inflation, amending WAC 458-30-590;

that the agency will at 9:00 a.m., Tuesday, January 24, 1989, in the Department of Revenue Office, 6004 Capitol Boulevard, Tumwater, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 84.34.360.

The specific statute these rules are intended to implement is RCW 84.34.300 through 84.34.380.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 15, 1988  
By: Steven L. Frisch  
Assistant Director

### STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: WAC 458-30-590 Rates of inflation.

Purpose: To establish rates of inflation.

Statutory Authority: RCW 84.34.360 requires the Department of Revenue to adopt rules to implement RCW 84.34.300 through 84.34.380.

**Summary and Reasons for the Rule:** The rates of inflation are used to determine the interest due on deferred special assessments on farm and agricultural lands when the assessments become payable.

Drafter of the Rule: Larry D. Stout, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5539; Rule Implementation and Enforcement: Steve Frisch, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: The department has determined that the proposed rule has no impact on small business.

### AMENDATORY SECTION (Amending Order PT 87-3 [PT 88-4], filed 3/10/87 [3/3/88])

**WAC 458-30-590 RATES OF INFLATION.** The rates of inflation to be used for calculating the interest as required by WAC 458-30-550 are as follows:

1976	5. <u>((7))</u> 6	1980	((10.7)) <u>13.5</u>	1984	((3.8)) <u>4.3</u>
1977	6.5	1981	((9.2)) <u>10.3</u>	1985	3.5
1978	((7.3)) <u>7.6</u>	1982	((5.7)) <u>6.2</u>	1986	((2.1)) <u>1.9</u>
1979	((9.2)) <u>11.3</u>	1983	((4.1)) <u>3.2</u>	1987	3.7
				1988	4.1

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

### WSR 89-01-116

#### PROPOSED RULES

#### DEPARTMENT OF REVENUE

[Filed December 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning Refunds—Rate of interest, amending WAC 458-18-220;

that the agency will at 9:00 a.m., Tuesday, January 24, 1989, in the Department of Revenue Office, 6004 South Capitol Boulevard, Tumwater, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 84.08.010(2) and 84.69.100.

The specific statute these rules are intended to implement is RCW 84.69.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1989.

Dated: December 15, 1988

By: Steven L. Frisch  
Assistant Director

### STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: WAC 458-18-220 Refunds—Rate of interest.

Purpose: To establish the interest rate used for refunding property taxes.

Statutory Authority: RCW 84.69.100 requires the Department of Revenue to adopt property tax refund rates by rule.

**Summary and Reasons for the Rule:** RCW 84.69.100 provides for the interest rate to be used when property taxes are refunded under chapter 84.69 RCW. The law requires the department to adopt the interest by rule.

Drafter of the Rule: Larry D. Stout, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5539; Rule Implementation and Enforcement: Steve Frisch, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: The department has determined that these rules will have no impact on small business.

### AMENDATORY SECTION (Amending Order PT 87-7 [PT 88-3], filed 9/23/87 [3/3/88])

**WAC 458-18-220 REFUNDS — RATE OF INTEREST.** The following rates of interest shall apply based upon the date the taxes were paid or the claim for refund was filed, whichever is later:

Prior to July 27, 1988	.05((00)) <u>96</u>	(5.((00)) <u>96</u> %)
On and after July 27, 1988		
to July 26, 1989	.0((596)) <u>600</u>	((5.96)) <u>6.00</u> %)
On or after July 27, 1989	.0675	(6.75%)

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

## Table of WAC Sections Affected

### KEY TO TABLE

**Symbols:**

**AMD** = Amendment of existing section  
**NEW** = New section not previously codified  
**OBJEC** = Notice of objection by Joint Administrative Rules  
 Review Committee  
**RE-AD** = Readoption of existing section  
**REP** = Repeal of existing section  
**REAFF** = Order assuming and reaffirming rules  
**REMOV** = Removal of rule pursuant to RCW 34.04.050(5)  
**RESCIND** = Rescind previous emergency rule  
**REVIEW** = Review of previously adopted rule  
**STMT** = Statement regarding previously adopted rule

**Suffixes:**

-P = Proposed action  
 -C = Continuance of previous proposal  
 -E = Emergency action  
 -W = Withdrawal of proposed action  
 No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

**WAC #** shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

**WSR #** shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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4-08-010	REP-P	88-17-078	4-08-280	REP-P	88-17-078
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4-08-030	REP-P	88-17-078	4-08-290	REP-P	88-17-078
4-08-030	REP	88-22-056	4-08-290	REP	88-22-056
4-08-040	REP-P	88-17-078	4-08-300	REP-P	88-17-078
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4-08-060	REP	88-22-056	4-08-320	REP	88-22-056
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4-08-090	REP	88-22-056	4-08-350	REP	88-22-056
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4-08-100	REP	88-22-056	4-08-360	REP	88-22-056
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4-08-110	REP	88-22-056	4-08-370	REP	88-22-056
4-08-120	REP-P	88-17-078	4-08-380	REP-P	88-17-078
4-08-120	REP	88-22-056	4-08-380	REP	88-22-056
4-08-130	REP-P	88-17-078	4-08-390	REP-P	88-17-078
4-08-130	REP	88-22-056	4-08-390	REP	88-22-056
4-08-140	REP-P	88-17-078	4-08-400	REP-P	88-17-078
4-08-140	REP	88-22-056	4-08-400	REP	88-22-056
4-08-150	REP-P	88-17-078	4-08-410	REP-P	88-17-078
4-08-150	REP	88-22-056	4-08-410	REP	88-22-056
4-08-160	REP-P	88-17-078	4-08-420	REP-P	88-17-078
4-08-160	REP	88-22-056	4-08-420	REP	88-22-056
4-08-170	REP-P	88-17-078	4-08-430	REP-P	88-17-078
4-08-170	REP	88-22-056	4-08-430	REP	88-22-056
4-08-180	REP-P	88-17-078	4-08-440	REP-P	88-17-078
4-08-180	REP	88-22-056	4-08-440	REP	88-22-056
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4-08-210	REP	88-22-056	4-08-470	REP	88-22-056
4-08-220	REP-P	88-17-078	4-08-480	REP-P	88-17-078
4-08-220	REP	88-22-056	4-08-480	REP	88-22-056
4-08-230	REP-P	88-17-078	4-08-490	REP-P	88-17-078
4-08-230	REP	88-22-056	4-08-490	REP	88-22-056
4-08-240	REP-P	88-17-078	4-08-500	REP-P	88-17-078
4-08-240	REP	88-22-056	4-08-500	REP	88-22-056
4-08-250	REP-P	88-17-078	4-08-510	REP-P	88-17-078
4-08-250	REP	88-22-056	4-08-510	REP	88-22-056
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4-08-260	REP	88-22-056	4-08-520	REP	88-22-056
4-08-270	REP-P	88-17-078	4-08-530	REP-P	88-17-078
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**Table of WAC Sections Affected**

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16-228-165	AMD	88-14-074	16-231-240	REP-E	88-07-038
16-228-165	REP-P	89-01-110	16-231-240	REP	88-09-013
16-228-166	NEW-P	89-01-110	16-231-345	REP-P	88-06-071
16-228-185	AMD-P	88-09-077	16-231-345	REP-E	88-07-038
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16-228-190	AMD	88-14-074	16-231-430	REP-E	88-07-038
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16-228-215	AMD-P	88-09-077	16-231-535	REP-E	88-07-038
16-228-215	AMD	88-14-074	16-231-535	REP	88-09-013
16-228-215	AMD-P	88-22-069	16-231-625	REP-P	88-06-071
16-228-220	AMD-P	88-09-077	16-231-625	REP-E	88-07-038
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16-230-030	AMD	88-08-050	16-232-130	REP-P	88-06-071
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16-230-030	AMD	88-21-098	16-232-130	REP	88-09-013
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16-470-600	NEW	88-16-016	16-750-010	REP-E	88-03-059
16-470-605	NEW-E	88-09-002	16-750-010	REP	88-07-016
16-470-605	NEW-E	88-12-082	16-750-011	NEW-P	88-03-057
16-470-605	NEW-P	88-12-083	16-750-011	NEW-E	88-03-059
16-470-605	NEW	88-16-016	16-750-011	NEW	88-07-016
16-470-610	NEW-E	88-09-002	16-750-011	AMD-E	88-13-007
16-470-610	NEW-E	88-12-082	16-750-011	AMD-P	88-13-049
16-470-610	NEW-P	88-12-083	16-750-011	AMD	88-18-001
16-470-610	NEW	88-16-016	16-750-011	AMD-E	88-18-002
16-470-615	NEW-E	88-09-002	16-750-011	AMD-P	88-20-065
16-470-615	NEW-E	88-12-082	16-750-011	AMD	88-24-002
16-470-615	NEW-P	88-12-083	16-750-011	AMD-E	88-20-065
16-470-615	NEW	88-16-016	16-750-011	AMD-P	88-24-002
16-470-615	NEW-E	88-09-002	16-750-011	AMD	88-24-002
16-470-615	NEW-P	88-12-082	16-750-015	NEW-P	88-03-057
16-470-615	NEW	88-16-016	16-750-015	NEW-E	88-03-059
16-470-620	NEW-E	88-09-002	16-750-015	NEW	88-07-016
16-470-620	NEW-E	88-12-082	16-750-015	AMD-P	88-20-065
16-470-620	NEW-P	88-12-083	16-750-015	AMD-E	88-18-002
16-470-620	NEW	88-16-016	16-750-015	AMD-P	88-20-065
16-470-625	NEW-E	88-09-002	16-750-015	AMD	88-24-002
16-470-625	NEW-P	88-12-083	16-750-015	AMD-E	88-18-002
16-470-625	NEW	88-16-016	16-750-015	AMD-P	88-24-002
16-470-630	NEW-E	88-12-082	16-752-115	AMD	88-24-002
16-470-630	NEW-P	88-12-083	16-752-120	NEW	88-04-044
16-470-630	NEW	88-16-016	16-752-125	NEW	88-04-044
16-470-635	NEW-E	88-12-082	16-752-130	NEW	88-04-044
16-470-635	NEW-P	88-12-083	16-752-135	NEW	88-04-044
16-470-635	NEW	88-16-016	16-752-140	NEW	88-04-044
16-488-025	AMD-P	88-13-081	16-752-145	NEW	88-04-044
16-488-025	AMD	88-17-014	16-752-150	NEW	88-04-044
16-495-085	AMD-P	88-07-114	16-752-155	NEW	88-04-044
16-495-085	AMD	88-11-042	16-752-160	NEW	88-04-044
16-528-040	AMD	88-09-019	16-752-165	NEW	88-04-044
16-528-210	AMD-P	88-08-061	16-752-170	NEW	88-04-044
16-528-210	AMD	88-12-019	16-752-200	NEW	88-04-044
16-530-040	AMD	88-09-018	16-752-201	NEW	88-04-044
16-532-020	AMD-P	88-18-073	16-752-202	NEW	88-04-044
16-532-020	AMD	88-24-028	16-752-203	NEW	88-04-044
16-532-035	NEW-P	88-18-073	16-752-204	NEW	88-04-044
16-532-035	NEW	88-24-028	25-46-010	NEW-P	88-18-092
16-532-120	AMD-P	88-10-034	25-46-010	NEW	88-23-005

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
44-10-230	NEW-P	88-03-063	55-01-001	NEW-P	88-15-073
44-10-230	NEW-E	88-03-064	55-01-001	NEW-P	88-21-116
44-10-230	NEW-P	88-09-062	55-01-001	NEW	88-24-030
44-10-230	NEW-E	88-09-065	55-01-010	NEW-P	88-15-073
44-10-230	NEW	88-13-039	55-01-010	NEW-P	88-21-116
44-10-240	NEW-P	88-03-063	55-01-010	NEW	88-24-030
44-10-240	NEW-E	88-03-064	55-01-020	NEW-P	88-15-073
44-10-240	NEW	88-09-064	55-01-020	NEW-P	88-21-116
44-10-240	NEW-E	88-09-065	55-01-020	NEW	88-24-030
44-10-300	NEW-E	88-22-054	55-01-030	NEW-P	88-15-073
44-10-300	NEW-P	88-22-055	55-01-030	NEW-P	88-21-116
44-10-310	NEW-E	88-22-054	55-01-030	NEW	88-24-030
44-10-310	NEW-P	88-22-055	55-01-040	NEW-P	88-15-073
44-10-320	NEW-E	88-22-054	55-01-040	NEW-P	88-21-116
44-10-320	NEW-P	88-22-055	55-01-040	NEW	88-24-030
50-12-230	AMD-E	88-11-002	55-01-050	NEW-P	88-15-073
50-12-230	AMD-P	88-13-064	55-01-050	NEW-P	88-21-116
50-12-230	AMD	88-16-066	55-01-050	NEW	88-24-030
50-20-040	AMD-E	88-13-051	55-01-060	NEW-P	88-15-073
50-20-040	AMD-P	88-14-002	55-01-060	NEW-P	88-21-116
50-20-040	AMD-C	88-14-093	55-01-060	NEW	88-24-030
50-20-040	AMD-P	88-18-076	55-01-070	NEW-P	88-15-073
50-20-040	AMD	88-21-031	55-01-070	NEW-P	88-21-116
50-20-050	AMD-E	88-13-051	55-01-070	NEW	88-24-030
50-20-050	AMD-P	88-14-002	55-01-080	NEW-P	88-15-073
50-20-050	AMD-C	88-14-093	55-01-080	NEW-P	88-21-116
50-20-050	AMD-P	88-18-076	55-01-080	NEW	88-24-030
50-20-050	AMD	88-21-031	67-10-020	AMD-P	88-04-016
51-10	AMD-P	88-14-078	67-10-020	AMD	88-09-006
51-10	AMD	88-24-021	67-10-030	AMD-P	88-04-016
51-12-102	AMD-P	88-14-114	67-10-030	AMD	88-09-006
51-12-102	AMD-C	88-24-037	67-10-040	AMD-P	88-04-016
51-12-206	AMD-P	88-24-037	67-10-040	AMD	88-09-006
51-12-219	AMD-P	88-24-037	67-10-060	AMD-P	88-04-016
51-12-223	AMD-P	88-14-114	67-10-060	AMD	88-09-006
51-12-223	AMD-C	88-24-037	67-25-120	AMD-P	88-04-016
51-12-305	AMD-P	88-14-114	67-25-120	AMD	88-09-006
51-12-305	AMD-C	88-24-037	67-25-400	AMD-P	88-04-016
51-12-402	AMD-P	88-14-114	67-25-400	AMD	88-09-006
51-12-402	AMD-C	88-24-037	67-25-404	AMD-P	88-04-016
51-12-411	AMD-P	88-14-114	67-25-404	AMD	88-09-006
51-12-411	AMD-C	88-24-037	67-25-570	AMD-P	88-04-016
51-12-426	AMD-P	88-14-114	67-25-570	AMD	88-09-006
51-12-426	AMD-C	88-24-037	82-50-021	AMD-P	88-13-092
51-12-503	AMD-P	88-14-114	82-50-021	AMD	88-16-027
51-12-503	AMD-C	88-24-037	82-50-021	AMD-P	88-24-057
51-12-601	AMD-P	88-24-037	82-50-031	AMD-P	88-13-092
51-12-602	AMD-P	88-14-114	82-50-031	AMD	88-16-027
51-12-602	AMD-C	88-24-037	82-50-041	REP-P	88-13-092
51-12-605	AMD-P	88-14-114	82-50-041	REP	88-16-027
51-12-605	AMD-C	88-24-037	98-11-005	NEW-P	88-03-062
51-12-608	AMD-P	88-24-037	98-11-005	NEW	88-07-032
51-16	AMD-P	88-14-077	98-40-050	AMD-P	88-03-062
51-16	AMD	88-24-018	98-40-050	AMD	88-07-032
51-16-010	AMD-P	88-14-077	100-100-050	AMD-P	88-11-076
51-16-010	AMD	88-24-018	100-100-050	AMD-E	88-11-077
51-16-020	AMD-P	88-14-077	106-116-850	NEW-P	88-07-017
51-16-020	AMD	88-24-018	106-116-850	NEW-E	88-11-065
51-16-030	AMD-P	88-14-077	106-116-850	NEW	88-11-066
51-16-030	AMD-P	88-20-070	106-116-853	NEW-P	88-07-017
51-16-030	AMD	88-24-018	106-116-853	NEW-E	88-11-065
51-16-040	AMD-P	88-14-077	106-116-853	NEW	88-11-066
51-16-040	AMD	88-24-018	106-116-856	NEW-P	88-07-017
51-16-050	AMD-P	88-14-077	106-116-856	NEW-E	88-11-065
51-16-050	AMD	88-24-018	106-116-856	NEW	88-11-066
51-16-060	AMD-P	88-14-077	106-116-859	NEW-P	88-07-017
51-16-060	AMD	88-24-018	106-116-859	NEW-E	88-11-065
51-16-070	AMD-P	88-14-077	106-116-859	NEW	88-11-066
51-16-070	AMD	88-24-018	106-116-901	AMD-P	88-07-017
51-16-080	AMD-P	88-14-077	106-116-901	AMD-E	88-11-065
51-16-080	AMD	88-24-018	106-116-901	AMD	88-11-066
51-16-090	AMD-P	88-14-077	113-12-100	REP-P	88-19-074
51-16-090	AMD	88-24-018	113-12-100	REP	89-01-017
51-16-100	NEW-P	88-14-077	113-12-101	NEW-P	88-19-074
51-16-100	NEW	88-24-018	113-12-101	NEW	89-01-017
55-01	NEW-C	88-18-050	113-12-103	NEW-P	88-19-074
55-01	NEW-C	88-19-057	113-12-103	NEW	89-01-017

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**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132D-120-320	NEW-P	88-19-084	132E-12-096	REP-P	88-13-097
132D-120-320	NEW	88-24-014	132E-12-096	REP	88-17-083
132D-120-330	NEW-P	88-19-084	132E-12-120	REP-P	88-13-097
132D-120-330	NEW	88-24-014	132E-12-120	REP	88-17-083
132D-120-340	NEW-P	88-19-084	132E-12-144	REP-P	88-13-097
132D-120-340	NEW	88-24-014	132E-12-144	REP	88-17-083
132D-120-350	NEW-P	88-19-084	132E-12-147	REP-P	88-13-097
132D-120-350	NEW	88-24-014	132E-12-147	REP	88-17-083
132D-140	NEW-C	88-24-013	132E-12-150	REP-P	88-13-097
132D-140-010	NEW-P	88-19-090	132E-12-150	REP	88-17-083
132D-140-020	NEW-P	88-19-090	132E-12-153	REP-P	88-13-097
132D-140-030	NEW-P	88-19-090	132E-12-153	REP	88-17-083
132D-140-040	NEW-P	88-19-090	132E-12-165	REP-P	88-13-097
132D-140-050	NEW-P	88-19-090	132E-12-165	REP	88-17-083
132D-140-060	NEW-P	88-19-090	132E-12-168	REP-P	88-13-097
132D-140-070	NEW-P	88-19-090	132E-12-168	REP	88-17-083
132D-140-080	NEW-P	88-19-090	132E-12-171	REP-P	88-13-097
132D-140-090	NEW-P	88-19-090	132E-12-171	REP	88-17-083
132D-140-100	NEW-P	88-19-090	132E-12-174	REP-P	88-13-097
132E-12-003	REP-P	88-13-097	132E-12-174	REP	88-17-083
132E-12-003	REP	88-17-083	132E-12-177	REP-P	88-13-097
132E-12-006	REP-P	88-13-097	132E-12-177	REP	88-17-083
132E-12-006	REP	88-17-083	132E-12-180	REP-P	88-13-097
132E-12-009	REP-P	88-13-097	132E-12-180	REP	88-17-083
132E-12-009	REP	88-17-083	132E-12-183	REP-P	88-13-097
132E-12-012	REP-P	88-13-097	132E-12-183	REP	88-17-083
132E-12-012	REP	88-17-083	132E-12-186	REP-P	88-13-097
132E-12-015	REP-P	88-13-097	132E-12-186	REP	88-17-083
132E-12-015	REP	88-17-083	132E-12-189	REP-P	88-13-097
132E-12-018	REP-P	88-13-097	132E-12-189	REP	88-17-083
132E-12-018	REP	88-17-083	132E-12-192	REP-P	88-13-097
132E-12-021	REP-P	88-13-097	132E-12-192	REP	88-17-083
132E-12-021	REP	88-17-083	132E-12-195	REP-P	88-13-097
132E-12-024	REP-P	88-13-097	132E-12-195	REP	88-17-083
132E-12-024	REP	88-17-083	132E-12-198	REP-P	88-13-097
132E-12-027	REP-P	88-13-097	132E-12-198	REP	88-17-083
132E-12-027	REP	88-17-083	132E-12-201	REP-P	88-13-097
132E-12-030	REP-P	88-13-097	132E-12-201	REP	88-17-083
132E-12-030	REP	88-17-083	132E-12-204	REP-P	88-13-097
132E-12-033	REP-P	88-13-097	132E-12-204	REP	88-17-083
132E-12-033	REP	88-17-083	132E-12-207	REP-P	88-13-097
132E-12-036	REP-P	88-13-097	132E-12-207	REP	88-17-083
132E-12-036	REP	88-17-083	132E-12-210	REP-P	88-13-097
132E-12-037	REP-P	88-13-097	132E-12-210	REP	88-17-083
132E-12-037	REP	88-17-083	132E-12-212	REP-P	88-13-097
132E-12-039	REP-P	88-13-097	132E-12-212	REP	88-17-083
132E-12-039	REP	88-17-083	132E-12-215	REP-P	88-13-097
132E-12-042	REP-P	88-13-097	132E-12-215	REP	88-17-083
132E-12-042	REP	88-17-083	132E-12-228	REP-P	88-13-097
132E-12-045	REP-P	88-13-097	132E-12-228	REP	88-17-083
132E-12-045	REP	88-17-083	132E-12-231	REP-P	88-13-097
132E-12-048	REP-P	88-13-097	132E-12-231	REP	88-17-083
132E-12-048	REP	88-17-083	132E-12-261	REP-P	88-13-097
132E-12-051	REP-P	88-13-097	132E-12-261	REP	88-17-083
132E-12-051	REP	88-17-083	132E-12-264	REP-P	88-13-097
132E-12-054	REP-P	88-13-097	132E-12-264	REP	88-17-083
132E-12-054	REP	88-17-083	132E-12-267	REP-P	88-13-097
132E-12-057	REP-P	88-13-097	132E-12-267	REP	88-17-083
132E-12-057	REP	88-17-083	132E-12-270	REP-P	88-13-097
132E-12-060	REP-P	88-13-097	132E-12-270	REP	88-17-083
132E-12-060	REP	88-17-083	132E-12-273	REP-P	88-13-097
132E-12-063	REP-P	88-13-097	132E-12-273	REP	88-17-083
132E-12-063	REP	88-17-083	132E-12-276	REP-P	88-13-097
132E-12-066	REP-P	88-13-097	132E-12-276	REP	88-17-083
132E-12-066	REP	88-17-083	132E-12-279	REP-P	88-13-097
132E-12-069	REP-P	88-13-097	132E-12-279	REP	88-17-083
132E-12-069	REP	88-17-083	132E-12-281	REP-P	88-13-097
132E-12-072	REP-P	88-13-097	132E-12-281	REP	88-17-083
132E-12-072	REP	88-17-083	132E-12-284	REP-P	88-13-097
132E-12-075	REP-P	88-13-097	132E-12-284	REP	88-17-083
132E-12-075	REP	88-17-083	132E-12-287	REP-P	88-13-097
132E-12-078	REP-P	88-13-097	132E-12-287	REP	88-17-083
132E-12-078	REP	88-17-083	132E-12-290	REP-P	88-13-097
132E-12-084	REP-P	88-13-097	132E-12-290	REP	88-17-083
132E-12-084	REP	88-17-083	132E-12-293	REP-P	88-13-097
132E-12-087	REP-P	88-13-097	132E-12-293	REP	88-17-083
132E-12-087	REP	88-17-083	132E-12-296	REP-P	88-13-097

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132E-12-407	REP	88-17-083	132E-120-080	REP-P	88-13-001
132E-12-410	REP-P	88-13-097	132E-120-080	REP	88-17-082
132E-12-410	REP	88-17-083	132E-121-010	NEW-P	88-13-096
132E-12-413	REP-P	88-13-097	132E-121-010	NEW	88-18-028
132E-12-413	REP	88-17-083	132E-124-030	REP-P	88-08-022
132E-12-416	REP-P	88-13-097	132E-124-030	REP	88-12-004
132E-12-416	REP	88-17-083	132E-124-040	REP-P	88-08-022
132E-12-419	REP-P	88-13-097	132E-124-040	REP	88-12-004
132E-12-419	REP	88-17-083	132E-124-050	REP-P	88-08-022
132E-12-422	REP-P	88-13-097	132E-124-050	REP	88-12-004
132E-12-422	REP	88-17-083	132E-124-060	REP-P	88-08-022
132E-12-425	REP-P	88-13-097	132E-124-060	REP	88-12-004
132E-12-425	REP	88-17-083	132E-168-010	REP-P	88-08-019
132E-12-428	REP-P	88-13-097	132E-168-010	REP	88-12-006
132E-12-428	REP	88-17-083	132E-168-020	REP-P	88-08-019
132E-12-431	REP-P	88-13-097	132E-168-020	REP	88-12-006
132E-12-431	REP	88-17-083	132E-168-030	REP-P	88-08-019
132E-12-434	REP-P	88-13-097	132E-168-030	REP	88-12-006
132E-12-434	REP	88-17-083	132E-168-040	REP-P	88-08-019
132E-112-010	REP-P	88-06-020	132E-168-040	REP	88-12-006
132E-112-010	REP	88-10-014	132E-168-050	REP-P	88-08-019
132E-112-020	REP-P	88-06-020	132E-168-050	REP	88-12-006
132E-112-020	REP	88-10-014	132E-168-060	REP-P	88-08-019
132E-112-030	REP-P	88-06-020	132E-168-060	REP	88-12-006
132E-112-030	REP	88-10-014	132E-168-070	REP-P	88-08-019
132E-112-040	REP-P	88-06-020	132E-168-070	REP	88-12-006
132E-112-040	REP	88-10-014	132E-168-080	REP-P	88-08-019
132E-112-050	REP-P	88-06-020	132E-168-080	REP	88-12-006
132E-112-050	REP	88-10-014	132E-168-090	REP-P	88-08-019
132E-112-060	REP-P	88-06-020	132E-168-090	REP	88-12-006
132E-112-060	REP	88-10-014	132E-276-030	AMD-P	88-08-053
132E-112-070	REP-P	88-06-020	132E-276-030	AMD	88-12-005
132E-112-070	REP	88-10-014	132E-276-060	AMD-P	88-10-023
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132E-112-090	REP-P	88-06-020	132E-276-070	AMD	88-14-013
132E-112-090	REP	88-10-014	132F-120-090	AMD-P	88-03-044
132E-112-100	REP-P	88-06-020	132F-120-090	AMD	88-08-069
132E-112-100	REP	88-10-014	132H-105-140	AMD-P	88-06-058
132E-112-110	REP-P	88-06-020	132H-105-140	AMD-P	88-07-089
132E-112-110	REP	88-10-014	132H-105-140	AMD	88-13-047
132E-112-120	REP-P	88-06-020	132H-148-020	REP-P	88-20-002
132E-112-120	REP	88-10-014	132H-148-020	REP	88-23-051
132E-112-130	REP-P	88-06-020	132H-148-030	REP-P	88-20-002
132E-112-130	REP	88-10-014	132H-148-030	REP	88-23-051
132E-112-140	REP-P	88-06-020	132H-148-040	REP-P	88-20-002
132E-112-140	REP	88-10-014	132H-148-040	REP	88-23-051
132E-112-150	REP-P	88-06-020	132H-148-050	REP-P	88-20-002
132E-112-150	REP	88-10-014	132H-148-050	REP	88-23-051
132E-112-160	REP-P	88-06-020	132H-148-060	REP-P	88-20-002
132E-112-160	REP	88-10-014	132H-148-060	REP	88-23-051
132E-112-170	REP-P	88-06-020	132H-148-070	REP-P	88-20-002
132E-112-170	REP	88-10-014	132H-148-070	REP	88-23-051
132E-112-180	REP-P	88-06-020	132H-148-080	REP-P	88-20-002
132E-112-180	REP	88-10-014	132H-148-080	REP	88-23-051
132E-112-190	REP-P	88-06-020	132H-148-090	REP-P	88-20-002
132E-112-190	REP	88-10-014	132H-148-090	REP	88-23-051
132E-112-200	REP-P	88-06-020	132H-148-100	REP-P	88-20-002
132E-112-200	REP	88-10-014	132H-148-100	REP	88-23-051
132E-112-210	REP-P	88-06-020	132H-148-110	NEW-P	88-20-002
132E-112-210	REP	88-10-014	132H-148-110	NEW	88-23-051
132E-112-220	REP-P	88-06-020	132H-200-200	NEW-P	88-04-059
132E-112-220	REP	88-10-014	132H-200-200	NEW	88-07-036
132E-112-230	REP-P	88-06-020	132H-200-250	NEW-P	88-07-088
132E-112-230	REP	88-10-014	132H-200-250	NEW	88-13-048
132E-120-030	REP-P	88-17-015	132I-14-010	REP-P	88-03-047
132E-120-030	REP-W	88-22-024	132I-14-010	REP	88-07-119
132E-120-040	REP-P	88-17-015	132I-14-020	REP-P	88-03-047
132E-120-040	REP-W	88-22-024	132I-14-020	REP	88-07-119
132E-120-045	NEW-P	88-17-016	132I-14-030	REP-P	88-03-047
132E-120-045	NEW-W	88-22-025	132I-14-030	REP	88-07-119
132E-120-050	REP-P	88-13-001	132I-14-040	REP-P	88-03-047
132E-120-050	REP	88-17-082	132I-14-040	REP	88-07-119
132E-120-060	REP-P	88-13-001	132I-14-050	REP-P	88-03-047
132E-120-060	REP	88-17-082	132I-14-050	REP	88-07-119
132E-120-070	REP-P	88-13-001	132I-14-060	REP-P	88-03-047

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132I-120-445	NEW-P	88-03-048	132R-210-120	REP-P	88-15-001
132I-120-445	NEW	88-07-120	132R-210-120	REP	88-21-027
132I-120-500	NEW-P	88-03-048	132R-210-130	REP-P	88-15-001
132I-120-500	NEW	88-07-120	132R-210-130	REP	88-21-027
132I-120-510	NEW-P	88-03-048	132R-210-140	REP-P	88-15-001
132I-120-510	NEW	88-07-120	132R-210-140	REP	88-21-027
132I-120-520	NEW-P	88-03-048	132R-210-150	REP-P	88-15-001
132I-120-520	NEW	88-07-120	132R-210-150	REP	88-21-027
132L-10-010	REP-P	88-17-074	132R-210-160	REP-P	88-15-001
132L-10-010	REP	88-21-071	132R-210-160	REP	88-21-027
132L-10-020	REP-P	88-17-074	132R-210-170	REP-P	88-15-001
132L-10-020	REP	88-21-071	132R-210-170	REP	88-21-027
132L-10-030	REP-P	88-17-074	132R-210-175	REP-P	88-15-001
132L-10-030	REP	88-21-071	132R-210-175	REP	88-21-027
132L-10-040	REP-P	88-17-074	132R-210-180	REP-P	88-15-001
132L-10-040	REP	88-21-071	132R-210-180	REP	88-21-027
132L-10-050	REP-P	88-17-074	132R-210-210	REP-P	88-15-001
132L-10-050	REP	88-21-071	132R-210-210	REP	88-21-027
132L-10-100	REP-P	88-17-074	132R-210-220	REP-P	88-15-001
132L-10-100	REP	88-21-071	132R-210-220	REP	88-21-027
132L-10-110	REP-P	88-17-074	132R-210-230	REP-P	88-15-001
132L-10-110	REP	88-21-071	132R-210-230	REP	88-21-027
132L-10-120	REP-P	88-17-074	132R-210-240	REP-P	88-15-001
132L-10-120	REP	88-21-071	132R-210-240	REP	88-21-027
132L-10-130	REP-P	88-17-074	132R-210-250	REP-P	88-15-001
132L-10-130	REP	88-21-071	132R-210-250	REP	88-21-027
132L-21-010	REP-P	88-17-074	132R-210-260	REP-P	88-15-001
132L-21-010	REP	88-21-071	132R-210-260	REP	88-21-027
132L-21-020	REP-P	88-17-074	132R-210-265	REP-P	88-15-001
132L-21-020	REP	88-21-071	132R-210-265	REP	88-21-027
132L-21-030	REP-P	88-17-074	132R-210-270	REP-P	88-15-001
132L-21-030	REP	88-21-071	132R-210-270	REP	88-21-027
132L-21-040	REP-P	88-17-074	132R-210-275	REP-P	88-15-001
132L-21-040	REP	88-21-071	132R-210-275	REP	88-21-027
132L-23-010	REP-P	88-17-074	132R-210-280	REP-P	88-15-001
132L-23-010	REP	88-21-071	132R-210-280	REP	88-21-027
132L-23-020	REP-P	88-17-074	132R-210-310	REP-P	88-15-001
132L-23-020	REP	88-21-071	132R-210-310	REP	88-21-027
132L-23-030	REP-P	88-17-074	132R-210-320	REP-P	88-15-001
132L-23-030	REP	88-21-071	132R-210-320	REP	88-21-027
132L-23-040	REP-P	88-17-074	132R-210-330	REP-P	88-15-001
132L-23-040	REP	88-21-071	132R-210-330	REP	88-21-027
132N-20-010	NEW-P	88-11-047	132R-210-335	REP-P	88-15-001
132N-20-010	NEW	88-16-068	132R-210-335	REP	88-21-027
132N-20-020	NEW-P	88-11-047	132R-210-340	REP-P	88-15-001
132N-20-020	NEW	88-16-068	132R-210-340	REP	88-21-027
132N-20-030	NEW-P	88-11-047	132R-210-350	REP-P	88-15-001
132N-20-030	NEW	88-16-068	132R-210-350	REP	88-21-027
132N-20-040	NEW-P	88-11-047	132R-210-360	REP-P	88-15-001
132N-20-040	NEW	88-16-068	132R-210-360	REP	88-21-027
132N-20-050	NEW-P	88-11-047	132R-210-405	REP-P	88-15-001
132N-20-050	NEW	88-16-068	132R-210-405	REP	88-21-027
132N-20-060	NEW-P	88-11-047	132R-210-410	REP-P	88-15-001
132N-20-060	NEW	88-16-068	132R-210-410	REP	88-21-027
132N-20-070	NEW-P	88-11-047	132R-210-415	REP-P	88-15-001
132N-20-070	NEW	88-16-068	132R-210-415	REP	88-21-027
132N-20-080	NEW-P	88-11-047	132R-210-420	REP-P	88-15-001
132N-20-080	NEW	88-16-068	132R-210-420	REP	88-21-027
132N-20-090	NEW-P	88-11-047	132R-210-425	REP-P	88-15-001
132N-20-090	NEW	88-16-068	132R-210-425	REP	88-21-027
132P-40-001	NEW-P	88-04-024	132R-210-430	REP-P	88-15-001
132P-40-001	NEW	88-12-012	132R-210-430	REP	88-21-027
132Q-04-035	AMD-P	88-23-050	132R-210-435	REP-P	88-15-001
132R-210-015	REP-P	88-15-001	132R-210-435	REP	88-21-027
132R-210-015	REP	88-21-027	132R-210-440	REP-P	88-15-001
132R-210-020	REP-P	88-15-001	132R-210-440	REP	88-21-027
132R-210-020	REP	88-21-027	132R-210-445	REP-P	88-15-001
132R-210-030	REP-P	88-15-001	132R-210-445	REP	88-21-027
132R-210-030	REP	88-21-027	132R-210-450	REP-P	88-15-001
132R-210-040	REP-P	88-15-001	132R-210-450	REP	88-21-027
132R-210-040	REP	88-21-027	132R-210-455	REP-P	88-15-001
132R-210-060	REP-P	88-15-001	132R-210-455	REP	88-21-027
132R-210-060	REP	88-21-027	132R-210-460	REP-P	88-15-001
132R-210-070	REP-P	88-15-001	132R-210-460	REP	88-21-027
132R-210-070	REP	88-21-027	132R-210-465	REP-P	88-15-001
132R-210-110	REP-P	88-15-001	132R-210-465	REP	88-21-027
132R-210-110	REP	88-21-027	132R-210-470	REP-P	88-15-001

### **Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132R-210-764	REP-P	88-15-001	132R-210-910	REP	88-21-027
132R-210-764	REP	88-21-027	132R-210-920	REP-P	88-15-001
132R-210-766	REP-P	88-15-001	132R-210-920	REP	88-21-027
132R-210-766	REP	88-21-027	132R-210-930	REP-P	88-15-001
132R-210-768	REP-P	88-15-001	132R-210-930	REP	88-21-027
132R-210-768	REP	88-21-027	132R-210-950	REP-P	88-15-001
132R-210-770	REP-P	88-15-001	132R-210-950	REP	88-21-027
132R-210-770	REP	88-21-027	132T-05-060	AMD-P	88-03-045
132R-210-772	REP-P	88-15-001	132T-05-060	AMD	88-07-019
132R-210-772	REP	88-21-027	132T-128-010	REP-P	88-03-046
132R-210-774	REP-P	88-15-001	132T-128-010	REP	88-07-020
132R-210-774	REP	88-21-027	132T-128-020	REP-P	88-03-046
132R-210-776	REP-P	88-15-001	132T-128-020	REP	88-07-020
132R-210-776	REP	88-21-027	132T-128-030	REP-P	88-03-046
132R-210-778	REP-P	88-15-001	132T-128-030	REP	88-07-020
132R-210-778	REP	88-21-027	132T-128-040	REP-P	88-03-046
132R-210-780	REP-P	88-15-001	132T-128-040	REP	88-07-020
132R-210-780	REP	88-21-027	132T-128-050	REP-P	88-03-046
132R-210-782	REP-P	88-15-001	132T-128-050	REP	88-07-020
132R-210-782	REP	88-21-027	132T-128-060	REP-P	88-03-046
132R-210-784	REP-P	88-15-001	132T-128-060	REP	88-07-020
132R-210-784	REP	88-21-027	132T-128-070	REP-P	88-03-046
132R-210-802	REP-P	88-15-001	132T-128-070	REP	88-07-020
132R-210-802	REP	88-21-027	132T-128-080	REP-P	88-03-046
132R-210-805	REP-P	88-15-001	132T-128-080	REP	88-07-020
132R-210-805	REP	88-21-027	132T-128-090	REP-P	88-03-046
132R-210-808	REP-P	88-15-001	132T-128-090	REP	88-07-020
132R-210-808	REP	88-21-027	132U-04	REP-C	88-12-020
132R-210-811	REP-P	88-15-001	132U-04-100	REP-P	88-07-029
132R-210-811	REP	88-21-027	132U-04-100	REP	88-15-005
132R-210-814	REP-P	88-15-001	132U-04-110	REP-P	88-07-029
132R-210-814	REP	88-21-027	132U-04-110	REP	88-15-005
132R-210-817	REP-P	88-15-001	132U-10	REP-C	88-12-020
132R-210-817	REP	88-21-027	132U-10-100	REP-P	88-07-029
132R-210-820	REP-P	88-15-001	132U-10-100	REP	88-15-005
132R-210-820	REP	88-21-027	132U-10-110	REP-P	88-07-029
132R-210-823	REP-P	88-15-001	132U-10-110	REP	88-15-005
132R-210-823	REP	88-21-027	132U-10-120	REP-P	88-07-029
132R-210-826	REP-P	88-15-001	132U-10-120	REP	88-15-005
132R-210-826	REP	88-21-027	132U-10-130	REP-P	88-07-029
132R-210-829	REP-P	88-15-001	132U-10-130	REP	88-15-005
132R-210-829	REP	88-21-027	132U-10-140	REP-P	88-07-029
132R-210-832	REP-P	88-15-001	132U-10-140	REP	88-15-005
132R-210-832	REP	88-21-027	132U-10-150	REP-P	88-07-029
132R-210-835	REP-P	88-15-001	132U-10-150	REP	88-15-005
132R-210-835	REP	88-21-027	132U-10-160	REP-P	88-07-029
132R-210-838	REP-P	88-15-001	132U-10-160	REP	88-15-005
132R-210-838	REP	88-21-027	132U-10-170	REP-P	88-07-029
132R-210-841	REP-P	88-15-001	132U-10-170	REP	88-15-005
132R-210-841	REP	88-21-027	132U-10-180	REP-P	88-07-029
132R-210-843	REP-P	88-15-001	132U-10-180	REP	88-15-005
132R-210-843	REP	88-21-027	132U-10-190	REP-P	88-07-029
132R-210-847	REP-P	88-15-001	132U-10-190	REP	88-15-005
132R-210-847	REP	88-21-027	132U-10-200	REP-P	88-07-029
132R-210-850	REP-P	88-15-001	132U-10-200	REP	88-15-005
132R-210-850	REP	88-21-027	132U-10-210	REP-P	88-07-029
132R-210-853	REP-P	88-15-001	132U-10-210	REP	88-15-005
132R-210-853	REP	88-21-027	132U-10-220	REP-P	88-07-029
132R-210-856	REP-P	88-15-001	132U-10-220	REP	88-15-005
132R-210-856	REP	88-21-027	132U-10-230	REP-P	88-07-029
132R-210-859	REP-P	88-15-001	132U-10-230	REP	88-15-005
132R-210-859	REP	88-21-027	132U-10-240	REP-P	88-07-029
132R-210-862	REP-P	88-15-001	132U-10-240	REP	88-15-005
132R-210-862	REP	88-21-027	132U-36	REP-C	88-12-020
132R-210-865	REP-P	88-15-001	132U-36-010	REP-P	88-07-029
132R-210-865	REP	88-21-027	132U-36-010	REP	88-15-005
132R-210-868	REP-P	88-15-001	132U-40	REP-C	88-12-020
132R-210-868	REP	88-21-027	132U-40-010	REP-P	88-07-029
132R-210-871	REP-P	88-15-001	132U-40-010	REP	88-15-005
132R-210-871	REP	88-21-027	132U-40-020	REP-P	88-07-029
132R-210-874	REP-P	88-15-001	132U-40-020	REP	88-15-005
132R-210-874	REP	88-21-027	132U-40-030	REP-P	88-07-029
132R-210-877	REP-P	88-15-001	132U-40-030	REP	88-15-005
132R-210-877	REP	88-21-027	132U-40-040	REP-P	88-07-029
132R-210-880	REP-P	88-15-001	132U-40-040	REP	88-15-005
132R-210-880	REP	88-21-027	132U-40-050	REP-P	88-07-029
132R-210-910	REP-P	88-15-001	132U-40-050	REP	88-15-005

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132U-80-330	REP	88-15-005	132U-120-260	NEW	88-15-005
132U-80-340	REP-P	88-07-029	132U-120-270	NEW-P	88-07-029
132U-80-340	REP	88-15-005	132U-120-270	NEW	88-15-005
132U-80-350	REP-P	88-07-029	132U-120-280	NEW-P	88-07-029
132U-80-350	REP	88-15-005	132U-120-280	NEW	88-15-005
132U-80-360	REP-P	88-07-029	132U-120-290	NEW-P	88-07-029
132U-80-360	REP	88-15-005	132U-120-290	NEW	88-15-005
132U-80-370	REP-P	88-07-029	132U-120-300	NEW-P	88-07-029
132U-80-370	REP	88-15-005	132U-120-300	NEW	88-15-005
132U-104	NEW-C	88-12-020	132U-120-310	NEW-P	88-07-029
132U-104-010	NEW-P	88-07-029	132U-120-310	NEW	88-15-005
132U-104-010	NEW	88-15-005	132U-120-320	NEW-P	88-07-029
132U-104-020	NEW-P	88-07-029	132U-120-320	NEW	88-15-005
132U-104-020	NEW	88-15-005	132U-120-330	NEW-P	88-07-029
132U-104-030	NEW-P	88-07-029	132U-120-330	NEW	88-15-005
132U-104-030	NEW	88-15-005	132U-122	NEW-C	88-12-020
132U-116-010	NEW-E	88-02-047	132U-122-010	NEW-P	88-07-029
132U-116-010	NEW-P	88-04-070	132U-122-010	NEW	88-15-005
132U-116-010	NEW	88-07-057	132U-122-020	NEW-P	88-07-029
132U-116-020	NEW-E	88-02-047	132U-122-020	NEW	88-15-005
132U-116-020	NEW-P	88-04-070	132U-140	NEW-C	88-12-020
132U-116-020	NEW	88-07-057	132U-140-010	NEW-P	88-07-029
132U-116-030	NEW-E	88-02-047	132U-140-010	NEW	88-15-005
132U-116-030	NEW-P	88-04-070	132U-140-020	NEW-P	88-07-029
132U-116-030	NEW	88-07-057	132U-140-020	NEW	88-15-005
132U-120	NEW-C	88-12-020	132U-140-020	NEW	88-15-005
132U-120-010	NEW-P	88-07-029	132U-140-030	NEW-P	88-07-029
132U-120-010	NEW	88-15-005	132U-140-040	NEW-P	88-07-029
132U-120-020	NEW-P	88-07-029	132U-140-040	NEW	88-15-005
132U-120-020	NEW	88-15-005	132U-140-050	NEW-P	88-07-029
132U-120-030	NEW-P	88-07-029	132U-140-050	NEW	88-15-005
132U-120-030	NEW	88-15-005	132U-140-060	NEW-P	88-07-029
132U-120-040	NEW-P	88-07-029	132U-140-060	NEW	88-15-005
132U-120-040	NEW	88-15-005	132U-140-070	NEW-P	88-07-029
132U-120-050	NEW-P	88-07-029	132U-140-070	NEW	88-15-005
132U-120-050	NEW	88-15-005	132U-276	NEW-C	88-12-020
132U-120-060	NEW-P	88-07-029	132U-276-100	NEW-P	88-07-029
132U-120-060	NEW	88-15-005	132U-276-100	NEW	88-15-005
132U-120-070	NEW-P	88-07-029	132U-276-110	NEW-P	88-07-029
132U-120-070	NEW	88-15-005	132U-276-110	NEW	88-15-005
132U-120-080	NEW-P	88-07-029	132U-276-120	NEW-P	88-07-029
132U-120-080	NEW	88-15-005	132U-276-120	NEW	88-15-005
132U-120-090	NEW-P	88-07-029	132U-276-130	NEW-P	88-07-029
132U-120-090	NEW	88-15-005	132U-276-130	NEW	88-15-005
132U-120-100	NEW-P	88-07-029	132U-276-140	NEW-P	88-07-029
132U-120-100	NEW	88-15-005	132U-276-140	NEW	88-15-005
132U-120-110	NEW-P	88-07-029	132U-276-150	NEW-P	88-07-029
132U-120-110	NEW	88-15-005	132U-276-150	NEW	88-15-005
132U-120-120	NEW-P	88-07-029	132U-276-160	NEW-P	88-07-029
132U-120-120	NEW	88-15-005	132U-276-160	NEW	88-15-005
132U-120-130	NEW-P	88-07-029	132U-276-170	NEW-P	88-07-029
132U-120-130	NEW	88-15-005	132U-276-170	NEW	88-15-005
132U-120-140	NEW-P	88-07-029	132U-276-180	NEW-P	88-07-029
132U-120-140	NEW	88-15-005	132U-276-180	NEW	88-15-005
132U-120-150	NEW-P	88-07-029	132U-276-190	NEW-P	88-07-029
132U-120-150	NEW	88-15-005	132U-276-190	NEW	88-15-005
132U-120-160	NEW-P	88-07-029	132U-276-200	NEW-P	88-07-029
132U-120-160	NEW	88-15-005	132U-276-200	NEW	88-15-005
132U-120-170	NEW-P	88-07-029	132U-276-210	NEW-P	88-07-029
132U-120-170	NEW	88-15-005	132U-276-210	NEW	88-15-005
132U-120-180	NEW-P	88-07-029	132U-276-220	NEW-P	88-07-029
132U-120-180	NEW	88-15-005	132U-276-220	NEW	88-15-005
132U-120-190	NEW-P	88-07-029	132U-276-230	NEW-P	88-07-029
132U-120-190	NEW	88-15-005	132U-276-230	NEW	88-15-005
132U-120-200	NEW-P	88-07-029	132U-276-240	NEW-P	88-07-029
132U-120-200	NEW	88-15-005	132U-276-240	NEW	88-15-005
132U-120-210	NEW-P	88-07-029	132U-280	NEW-C	88-12-020
132U-120-210	NEW	88-15-005	132U-280-010	NEW-P	88-07-029
132U-120-220	NEW-P	88-07-029	132U-280-010	NEW	88-15-005
132U-120-220	NEW	88-15-005	132U-280-015	NEW-P	88-07-029
132U-120-230	NEW-P	88-07-029	132U-280-015	NEW	88-15-005
132U-120-230	NEW	88-15-005	132U-280-020	NEW-P	88-07-029
132U-120-240	NEW-P	88-07-029	132U-280-020	NEW	88-15-005
132U-120-240	NEW	88-15-005	132U-280-025	NEW-P	88-07-029
132U-120-250	NEW-P	88-07-029	132U-280-025	NEW	88-15-005
132U-120-250	NEW	88-15-005	132U-280-030	NEW-P	88-07-029
132U-120-260	NEW-P	88-07-029	132U-280-030	NEW	88-15-005

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132X-10-090	NEW	88-21-071	132X-50-100	NEW-P	88-17-074
132X-10-100	NEW-P	88-17-074	132X-50-100	NEW	88-21-071
132X-10-100	NEW	88-21-071	132X-50-110	NEW-P	88-17-074
132X-10-110	NEW-P	88-17-074	132X-50-110	NEW	88-21-071
132X-10-110	NEW	88-21-071	132X-50-120	NEW-P	88-17-074
132X-10-120	NEW-P	88-17-074	132X-50-120	NEW	88-21-071
132X-10-120	NEW	88-21-071	132X-50-130	NEW-P	88-17-074
132X-10-130	NEW-P	88-17-074	132X-50-130	NEW	88-21-071
132X-10-130	NEW	88-21-071	132X-50-140	NEW-P	88-17-074
132X-10-140	NEW-P	88-17-074	132X-50-140	NEW	88-21-071
132X-10-140	NEW	88-21-071	132X-50-150	NEW-P	88-17-074
132X-10-150	NEW-P	88-17-074	132X-50-150	NEW	88-21-071
132X-10-150	NEW	88-21-071	132X-50-160	NEW-P	88-17-074
132X-20-010	NEW-P	88-17-074	132X-50-160	NEW	88-21-071
132X-20-010	NEW	88-21-071	132X-50-170	NEW-P	88-17-074
132X-20-020	NEW-P	88-17-074	132X-50-170	NEW	88-21-071
132X-20-020	NEW	88-21-071	132X-50-180	NEW-P	88-17-074
132X-20-030	NEW-P	88-17-074	132X-50-180	NEW	88-21-071
132X-20-030	NEW	88-21-071	132X-50-190	NEW-P	88-17-074
132X-20-040	NEW-P	88-17-074	132X-50-190	NEW	88-21-071
132X-20-040	NEW	88-21-071	132X-50-200	NEW-P	88-17-074
132X-20-050	NEW-P	88-17-074	132X-50-200	NEW	88-21-071
132X-20-050	NEW	88-21-071	132X-50-210	NEW-P	88-17-074
132X-20-060	NEW-P	88-17-074	132X-50-210	NEW	88-21-071
132X-20-060	NEW	88-21-071	132X-50-220	NEW-P	88-17-074
132X-20-070	NEW-P	88-17-074	132X-50-220	NEW	88-21-071
132X-20-070	NEW	88-21-071	132X-50-230	NEW-P	88-17-074
132X-20-080	NEW-P	88-17-074	132X-50-230	NEW	88-21-071
132X-20-080	NEW	88-21-071	132X-50-240	NEW-P	88-17-074
132X-20-090	NEW-P	88-17-074	132X-50-240	NEW	88-21-071
132X-20-090	NEW	88-21-071	132X-50-250	NEW-P	88-17-074
132X-20-100	NEW-P	88-17-074	132X-50-250	NEW	88-21-071
132X-20-100	NEW	88-21-071	132X-50-260	NEW-P	88-17-074
132X-20-110	NEW-P	88-17-074	132X-50-260	NEW	88-21-071
132X-20-110	NEW	88-21-071	132X-50-270	NEW-P	88-17-074
132X-20-120	NEW-P	88-17-074	132X-50-270	NEW	88-21-071
132X-20-120	NEW	88-21-071	132X-50-280	NEW-P	88-17-074
132X-20-130	NEW-P	88-17-074	132X-50-280	NEW	88-21-071
132X-20-130	NEW	88-21-071	132X-50-290	NEW-P	88-17-074
132X-30-010	NEW-P	88-17-074	132X-50-290	NEW	88-21-071
132X-30-010	NEW	88-21-071	132X-50-300	NEW-P	88-17-074
132X-30-020	NEW-P	88-17-074	132X-50-300	NEW	88-21-071
132X-30-020	NEW	88-21-071	132X-60-010	NEW-P	88-17-074
132X-30-030	NEW-P	88-17-074	132X-60-010	NEW	88-21-071
132X-30-030	NEW	88-21-071	132X-60-020	NEW-P	88-17-074
132X-30-040	NEW-P	88-17-074	132X-60-020	NEW	88-21-071
132X-30-040	NEW	88-21-071	132X-60-030	NEW-P	88-17-074
132X-30-050	NEW-P	88-17-074	132X-60-030	NEW	88-21-071
132X-30-050	NEW	88-21-071	132X-60-040	NEW-P	88-17-074
132X-30-060	NEW-P	88-17-074	132X-60-040	NEW	88-21-071
132X-30-060	NEW	88-21-071	132X-60-050	NEW-P	88-17-074
132X-30-070	NEW-P	88-17-074	132X-60-050	NEW	88-21-071
132X-30-070	NEW	88-21-071	132X-60-060	NEW-P	88-17-074
132X-40-010	NEW-P	88-17-074	132X-60-060	NEW	88-21-071
132X-40-010	NEW	88-21-071	132X-60-070	NEW-P	88-17-074
132X-40-020	NEW-P	88-17-074	132X-60-070	NEW	88-21-071
132X-40-020	NEW	88-21-071	132X-60-080	NEW-P	88-17-074
132X-40-030	NEW-P	88-17-074	132X-60-080	NEW	88-21-071
132X-40-030	NEW	88-21-071	132X-60-090	NEW-P	88-17-074
132X-50-010	NEW-P	88-17-074	132X-60-090	NEW	88-21-071
132X-50-010	NEW	88-21-071	132X-60-100	NEW-P	88-17-074
132X-50-020	NEW-P	88-17-074	132X-60-100	NEW	88-21-071
132X-50-020	NEW	88-21-071	132X-60-110	NEW-P	88-17-074
132X-50-030	NEW-P	88-17-074	132X-60-110	NEW	88-21-071
132X-50-030	NEW	88-21-071	132X-60-120	NEW-P	88-17-074
132X-50-040	NEW-P	88-17-074	132X-60-120	NEW	88-21-071
132X-50-040	NEW	88-21-071	132X-60-130	NEW-P	88-17-074
132X-50-050	NEW-P	88-17-074	132X-60-130	NEW	88-21-071
132X-50-050	NEW	88-21-071	132X-60-140	NEW-P	88-17-074
132X-50-060	NEW-P	88-17-074	132X-60-140	NEW	88-21-071
132X-50-060	NEW	88-21-071	132X-60-150	NEW-P	88-17-074
132X-50-070	NEW-P	88-17-074	132X-60-150	NEW	88-21-071
132X-50-070	NEW	88-21-071	132Y-20-010	REP-P	88-06-023
132X-50-080	NEW-P	88-17-074	132Y-140-001	REP-P	88-06-024
132X-50-080	NEW	88-21-071	132Y-140-001	REP	88-13-013
132X-50-090	NEW-P	88-17-074	132Y-140-101	REP-P	88-06-024
132X-50-090	NEW	88-21-071	132Y-140-101	REP	88-13-013

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<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>
143-06-100	AMD	88-21-029	154-160-010	NEW	88-11-028
143-06-110	AMD-P	88-18-089	154-160-020	NEW-P	88-07-104
143-06-110	AMD	88-21-029	154-160-020	NEW	88-11-028
143-06-120	AMD-P	88-18-089	154-170-010	NEW-P	88-07-104
143-06-120	AMD	88-21-029	154-170-010	NEW	88-11-028
143-06-130	AMD-P	88-18-089	154-180-010	NEW-P	88-07-104
143-06-130	AMD	88-21-029	154-180-010	NEW	88-11-028
143-06-140	AMD-P	88-18-089	154-180-020	NEW-P	88-07-104
143-06-140	AMD	88-21-029	154-180-020	NEW	88-11-028
143-06-150	AMD-P	88-18-089	154-180-030	NEW-P	88-07-104
143-06-150	AMD	88-21-029	154-180-030	NEW	88-11-028
143-06-990	REP-P	89-01-085	154-180-040	NEW-P	88-07-104
143-10-010	AMD-P	88-18-089	154-180-040	NEW	88-11-028
143-10-010	AMD	88-21-029	154-180-050	NEW-P	88-07-104
154-04-040	AMD-P	88-09-075	154-180-050	NEW	88-11-028
154-04-040	AMD	88-12-028	154-180-060	NEW-P	88-07-104
154-12-015	AMD-P	88-09-075	154-180-060	NEW	88-11-028
154-12-015	AMD	88-12-028	154-180-070	NEW-P	88-07-104
154-12-020	AMD-P	88-09-075	154-180-070	NEW	88-11-028
154-12-020	AMD	88-12-028	154-190-010	NEW-P	88-07-104
154-12-030	AMD-P	88-09-075	154-190-010	NEW	88-11-028
154-12-030	AMD	88-12-028	154-200-010	NEW-P	88-07-104
154-12-110	AMD-P	88-09-075	154-200-010	NEW	88-11-028
154-12-110	AMD	88-12-028	154-200-020	NEW-P	88-07-104
154-24-010	AMD-P	88-09-075	154-200-020	NEW	88-11-028
154-24-010	AMD	88-12-028	154-200-030	NEW-P	88-07-104
154-110-010	NEW-P	88-07-104	154-200-030	NEW	88-11-028
154-110-010	NEW	88-11-028	154-200-040	NEW-P	88-07-104
154-110-015	NEW-P	88-07-104	154-200-040	NEW	88-11-028
154-110-015	NEW	88-11-028	162-18-010	REP-P	88-09-080
154-110-020	NEW-P	88-07-104	162-18-020	REP-P	88-09-080
154-110-020	NEW	88-11-028	162-18-030	REP-P	88-09-080
154-110-030	NEW-P	88-07-104	162-18-040	REP-P	88-09-080
154-110-030	NEW	88-11-028	162-18-050	REP-P	88-09-080
154-120-010	NEW-P	88-07-104	162-18-060	REP-P	88-09-080
154-120-010	NEW	88-11-028	162-18-070	REP-P	88-09-080
154-120-015	NEW-P	88-07-104	162-18-080	REP-P	88-09-080
154-120-015	NEW	88-11-028	162-18-090	REP-P	88-09-080
154-120-020	NEW-P	88-07-104	162-18-100	REP-P	88-09-080
154-120-020	NEW	88-11-028	162-18-110	NEW-P	88-09-080
154-120-025	NEW-P	88-07-104	162-18-120	NEW-P	88-09-080
154-120-025	NEW	88-11-028	162-18-130	NEW-P	88-09-080
154-120-030	NEW-P	88-07-104	162-18-140	NEW-P	88-09-080
154-120-030	NEW	88-11-028	162-18-150	NEW-P	88-09-080
154-120-035	NEW-P	88-07-104	162-18-160	NEW-P	88-09-080
154-120-035	NEW	88-11-028	162-19-010	NEW-P	88-09-080
154-120-040	NEW-P	88-07-104	162-19-020	NEW-P	88-09-080
154-120-040	NEW	88-11-028	162-19-030	NEW-P	88-09-080
154-120-045	NEW-P	88-07-104	162-19-040	NEW-P	88-09-080
154-120-045	NEW	88-11-028	162-19-060	NEW-P	88-09-080
154-120-050	NEW-P	88-07-104	162-19-070	NEW-P	88-09-080
154-120-050	NEW	88-11-028	162-19-080	NEW-P	88-09-080
154-120-055	NEW-P	88-07-104	162-19-090	NEW-P	88-09-080
154-120-055	NEW	88-11-028	173-06-030	AMD-E	88-20-039
154-130-010	NEW-P	88-07-104	173-14	AMD-C	88-04-091
154-130-010	NEW	88-11-028	173-14-030	AMD-W	88-07-006
154-130-020	NEW-P	88-07-104	173-14-030	AMD-P	88-12-067
154-130-020	NEW	88-11-028	173-14-030	AMD	88-19-004
154-130-030	NEW-P	88-07-104	173-14-060	AMD-W	88-07-006
154-130-030	NEW	88-11-028	173-14-061	NEW-W	88-07-006
154-140-010	NEW-P	88-07-104	173-18-280	AMD	88-03-070
154-140-010	NEW	88-11-028	173-19-110	AMD-P	88-20-072
154-140-020	NEW-P	88-07-104	173-19-130	AMD	88-07-009
154-140-020	NEW	88-11-028	173-19-210	AMD-P	88-16-104
154-140-030	NEW-P	88-07-104	173-19-210	AMD	88-22-088
154-140-030	NEW	88-11-028	173-19-220	AMD-P	88-03-069
154-150-010	NEW-P	88-07-104	173-19-220	AMD-P	88-08-063
154-150-010	NEW	88-11-028	173-19-220	AMD	88-08-089
154-150-020	NEW-P	88-07-104	173-19-220	AMD-C	88-14-091
154-150-020	NEW	88-11-028	173-19-220	AMD	88-19-008
154-150-030	NEW-P	88-07-104	173-19-2201	AMD-P	88-08-064
154-150-030	NEW	88-11-028	173-19-2201	AMD-C	88-14-091
154-150-040	NEW-P	88-07-104	173-19-2201	AMD	88-19-008
154-150-040	NEW	88-11-028	173-19-2202	AMD-P	88-08-065
154-150-050	NEW-P	88-07-104	173-19-2202	AMD-C	88-14-091
154-150-050	NEW	88-11-028	173-19-2202	AMD	88-19-008
154-160-010	NEW-P	88-07-104	173-19-2204	AMD-P	88-08-066

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-110-030	NEW-E 88-08-020	173-158-100	NEW 88-10-058	173-160-405	NEW 88-08-070
173-110-030	NEW-E 88-14-126	173-158-100	AMD-E 88-21-033	173-160-415	NEW 88-08-070
173-110-040	NEW-E 88-08-020	173-158-110	NEW-P 88-05-042	173-160-420	NEW 88-08-070
173-110-040	NEW-E 88-14-126	173-158-110	NEW 88-10-058	173-160-425	NEW 88-08-070
173-110-050	NEW-E 88-08-020	173-158-120	NEW-P 88-05-042	173-160-435	NEW 88-08-070
173-110-050	NEW-E 88-14-126	173-158-120	NEW 88-10-058	173-160-445	NEW 88-08-070
173-110-060	NEW-E 88-08-020	173-160	AMD-C 88-04-071	173-160-455	NEW 88-08-070
173-110-060	NEW-E 88-14-126	173-160	AMD 88-08-070	173-160-465	NEW 88-08-070
173-110-070	NEW-E 88-08-020	173-160-010	AMD 88-08-070	173-160-475	NEW 88-08-070
173-110-070	NEW-E 88-14-126	173-160-020	AMD 88-08-070	173-160-500	NEW 88-08-070
173-110-080	NEW-E 88-08-020	173-160-030	AMD 88-08-070	173-160-510	NEW 88-08-070
173-110-080	NEW-E 88-14-126	173-160-040	AMD 88-08-070	173-160-520	NEW 88-08-070
173-110-090	NEW-E 88-08-020	173-160-050	AMD 88-08-070	173-160-530	NEW 88-08-070
173-110-090	NEW-E 88-14-126	173-160-055	NEW 88-08-070	173-160-540	NEW 88-08-070
173-110-100	NEW-E 88-08-020	173-160-060	REP 88-08-070	173-160-550	NEW 88-08-070
173-110-100	NEW-E 88-14-126	173-160-065	NEW 88-08-070	173-160-560	NEW 88-08-070
173-124-06001	REP-P 88-09-054	173-160-070	REP 88-08-070	173-162	AMD-C 88-04-071
173-124-06001	REP 88-13-037	173-160-075	NEW 88-08-070	173-162	AMD 88-08-070
173-124-070	NEW-P 88-09-054	173-160-080	REP 88-08-070	173-162-010	AMD 88-08-070
173-124-070	NEW 88-13-037	173-160-085	NEW 88-08-070	173-162-020	AMD 88-08-070
173-124-080	NEW-P 88-09-054	173-160-090	REP 88-08-070	173-162-030	AMD 88-08-070
173-124-080	NEW 88-13-037	173-160-09001	REP 88-08-070	173-162-040	AMD 88-08-070
173-128A-060	NEW-P 88-09-054	173-160-095	NEW 88-08-070	173-162-050	AMD 88-08-070
173-128A-060	NEW 88-13-037	173-160-100	REP 88-08-070	173-162-060	AMD 88-08-070
173-130A-215	NEW-P 88-09-054	173-160-105	NEW 88-08-070	173-162-100	AMD 88-08-070
173-130A-215	NEW 88-13-037	173-160-110	REP 88-08-070	173-162-110	REP 88-08-070
173-130A-217	NEW-P 88-09-054	173-160-115	NEW 88-08-070	173-162-130	AMD 88-08-070
173-130A-217	NEW 88-13-037	173-160-120	REP 88-08-070	173-162-140	AMD 88-08-070
173-130A-220	AMD-P 88-09-054	173-160-125	NEW 88-08-070	173-162-150	REP 88-08-070
173-130A-220	AMD 88-13-037	173-160-130	REP 88-08-070	173-162-160	REP 88-08-070
173-132-060	NEW-P 88-09-054	173-160-135	NEW 88-08-070	173-162-170	AMD 88-08-070
173-132-060	NEW 88-13-037	173-160-140	REP 88-08-070	173-162-180	REP 88-08-070
173-134A-150	AMD-P 88-09-054	173-160-150	REP 88-08-070	173-162-190	AMD 88-08-070
173-134A-150	AMD 88-13-037	173-160-160	REP 88-08-070	173-162-200	NEW 88-08-070
173-134A-165	NEW-P 88-09-054	173-160-170	REP 88-08-070	173-162-210	NEW 88-08-070
173-134A-165	NEW 88-13-037	173-160-180	REP 88-08-070	173-162-220	NEW 88-08-070
173-134A-170	AMD-P 88-09-054	173-160-190	REP 88-08-070	173-164-050	AMD-P 88-09-054
173-134A-170	AMD 88-13-037	173-160-200	REP 88-08-070	173-164-050	AMD 88-13-037
173-136-095	NEW-P 88-09-054	173-160-205	NEW 88-08-070	173-164-080	NEW-P 88-09-054
173-136-095	NEW 88-13-037	173-160-210	REP 88-08-070	173-164-080	NEW 88-13-037
173-136-100	AMD-P 88-09-054	173-160-215	NEW 88-08-070	173-166-070	NEW-P 88-09-054
173-136-100	AMD 88-13-037	173-160-215	AMD-E 88-22-007	173-166-070	NEW 88-13-037
173-136-110	NEW-P 88-09-054	173-160-220	REP 88-08-070	173-201	AMD 88-02-058
173-136-110	NEW 88-13-037	173-160-225	NEW 88-08-070	173-201-010	AMD 88-02-058
173-150-125	NEW-P 88-09-054	173-160-230	REP 88-08-070	173-201-025	AMD 88-02-058
173-150-125	NEW 88-13-037	173-160-235	NEW 88-08-070	173-201-035	AMD 88-02-058
173-150-130	AMD-P 88-09-054	173-160-240	REP 88-08-070	173-201-045	AMD 88-02-058
173-150-130	AMD 88-13-037	173-160-245	NEW 88-08-070	173-201-047	NEW 88-02-058
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173-154-100	AMD 88-13-037	173-160-275	NEW 88-08-070	173-202-020	AMD-C 88-20-067
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173-158-080	NEW-P 88-05-042	173-160-370	REP 88-08-070	173-220-070	AMD-P 88-13-095
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173-220-130	AMD-P	88-13-095	173-303-284	REP	88-18-083
173-220-130	AMD	88-22-059	173-303-285	NEW	88-07-039
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173-220-150	AMD	88-12-035	173-303-286	REP-P	88-13-116
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173-220-160	AMD	88-22-059	173-303-420	AMD	88-07-039
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173-340-010	NEW-E	88-13-085	173-433-100	AMD-E	88-21-004
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173-340-020	NEW-C	88-10-055	173-433-120	AMD-P	88-19-080
173-340-020	NEW	88-13-036	173-433-130	NEW-P	88-10-052
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173-545-090	AMD	88-13-037	173-596-040	REP-P	88-09-054
173-545-095	NEW-P	88-09-054	173-596-040	REP	88-13-037
173-545-095	NEW	88-13-037	173-596-045	REP-P	88-09-054
173-545-100	AMD-P	88-09-054	173-596-045	REP	88-13-037
173-545-100	AMD	88-13-037	173-596-050	REP-P	88-09-054
173-548-080	NEW-P	88-09-054	173-596-050	REP	88-13-037
173-548-080	NEW	88-13-037	173-596-055	REP-P	88-09-054
173-548-090	NEW-P	88-09-054	173-596-055	REP	88-13-037
173-548-090	NEW	88-13-037	173-596-060	REP-P	88-09-054
173-548-100	NEW-P	88-09-054	173-596-060	REP	88-13-037
173-548-100	NEW	88-13-037	173-596-065	REP-P	88-09-054
173-549-090	AMD-P	88-09-054	173-596-065	REP	88-13-037
173-549-090	AMD	88-13-037	174-107-100	REP-P	88-14-101
173-549-095	NEW-P	88-09-054	174-107-100	REP-P	88-14-102
173-549-095	NEW	88-13-037	174-107-100	REP-E	88-17-068
173-549-100	AMD-P	88-09-054	174-107-100	REP	88-17-069
173-549-100	AMD	88-13-037	174-107-110	REP-P	88-14-101
173-555-080	NEW-P	88-09-054	174-107-110	REP-P	88-14-102
173-555-080	NEW	88-13-037	174-107-110	REP-E	88-17-068
173-555-090	NEW-P	88-09-054	174-107-110	REP	88-17-069
173-555-090	NEW	88-13-037	174-107-120	REP-P	88-14-101
173-555-100	NEW-P	88-09-054	174-107-120	REP-P	88-17-068
173-555-100	NEW	88-13-037	174-107-120	REP-E	88-17-069
173-559-080	NEW-P	88-09-054	174-107-120	REP	88-17-069

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
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174-107-460	REP-E	88-17-068	174-124-030	REP-P	88-14-102
174-107-460	REP	88-17-069	174-124-030	REP-E	88-17-068
174-107-470	REP-P	88-14-101	174-124-030	REP	88-17-069
174-107-470	REP-P	88-14-102	174-124-040	REP-P	88-14-101
174-107-470	REP-E	88-17-068	174-124-040	REP-P	88-14-102
174-107-470	REP	88-17-069	174-124-040	REP-E	88-17-068
174-107-500	REP-P	88-14-101	174-124-040	REP	88-17-069
174-107-500	REP-P	88-14-102	174-124-050	REP-P	88-14-101
174-107-500	REP-E	88-17-068	174-124-050	REP-P	88-14-102
174-107-500	REP	88-17-069	174-124-050	REP-E	88-17-068
174-107-510	REP-P	88-14-101	174-124-050	REP	88-17-069
174-107-510	REP-P	88-14-102	174-124-120	REP-P	88-14-101
174-107-510	REP-E	88-17-068	174-124-120	REP-P	88-14-102
174-107-510	REP	88-17-069	174-124-120	REP-E	88-17-068
174-107-520	REP-P	88-14-101	174-124-120	REP	88-17-069
174-107-520	REP-P	88-14-102	174-130-010	NEW-P	88-14-101
174-107-520	REP-E	88-17-068	174-130-020	NEW-P	88-14-101
174-107-520	REP	88-17-069	174-130-030	NEW-P	88-14-101
174-107-530	REP-P	88-14-101	174-130-040	NEW-P	88-14-101
174-107-530	REP-P	88-14-102	174-130-050	NEW-P	88-14-101
174-107-530	REP-E	88-17-068	174-130-060	NEW-P	88-14-101
174-107-530	REP	88-17-069	174-130-070	NEW-P	88-14-101
174-107-540	REP-P	88-14-101	174-130-080	NEW-P	88-14-101
174-107-540	REP-P	88-14-102	174-130-090	NEW-P	88-14-101
174-107-540	REP-E	88-17-068	174-132-010	NEW-P	88-22-079
174-107-540	REP	88-17-069	174-132-010	NEW	89-01-063
174-107-550	REP-P	88-14-101	174-132-020	NEW-P	88-22-079
174-107-550	REP-P	88-14-102	174-132-020	NEW	89-01-063
174-107-550	REP-E	88-17-068	174-132-030	NEW-P	88-22-079
174-107-550	REP	88-17-069	174-132-030	NEW	89-01-063
174-116-020	AMD-P	88-16-088	174-132-040	NEW-P	88-22-079
174-116-020	AMD-E	88-19-096	174-132-040	NEW	89-01-063
174-116-020	AMD	88-19-097	174-132-050	NEW-P	88-22-079
174-116-040	AMD-P	88-16-088	174-132-050	NEW	89-01-063
174-116-040	AMD-E	88-19-096	174-132-060	NEW-P	88-22-079
174-116-040	AMD	88-19-097	174-132-060	NEW	89-01-063
174-116-043	AMD-P	88-16-088	174-132-070	NEW-P	88-22-079
174-116-043	AMD-E	88-19-096	174-132-070	NEW	89-01-063
174-116-043	AMD	88-19-097	174-132-080	NEW-P	88-22-079
174-116-045	REP-P	88-16-088	174-132-080	NEW	89-01-063
174-116-045	REP-E	88-19-096	174-132-090	NEW-P	88-22-079
174-116-045	REP	88-19-097	174-132-090	NEW	89-01-063
174-116-119	AMD-P	88-16-088	174-132-100	NEW-P	88-22-079
174-116-119	AMD-E	88-19-096	174-132-100	NEW	89-01-063
174-116-119	AMD	88-19-097	174-132-110	NEW-P	88-22-079
174-116-045	REP-E	88-19-096	174-132-090	NEW-P	88-22-079
174-116-045	REP	88-19-097	174-132-090	NEW	89-01-063
174-116-119	AMD-P	88-16-088	174-132-100	NEW-P	88-22-079
174-116-119	AMD-E	88-19-096	174-132-100	NEW	89-01-063
174-116-119	AMD	88-19-097	174-132-110	NEW-P	88-22-079
174-120-010	NEW-P	88-14-102	174-132-110	NEW	89-01-063
174-120-010	NEW-E	88-17-068	174-132-120	NEW-P	88-22-079
174-120-010	NEW	88-17-069	174-132-120	NEW	89-01-063
174-120-020	NEW-P	88-14-102	174-136-02002	NEW-P	88-22-081
174-120-020	NEW-E	88-17-068	174-136-02002	NEW-W	88-23-025
174-120-020	NEW	88-17-069	174-136-02003	NEW-P	88-22-081
174-120-030	NEW-P	88-14-102	174-136-02003	NEW-W	88-23-025
174-120-030	NEW-E	88-17-068	174-136-02004	NEW-P	88-22-081
174-120-030	NEW	88-17-069	174-136-02004	NEW-W	88-23-025
174-120-040	NEW-P	88-14-102	174-136-02005	NEW-P	88-22-081
174-120-040	NEW-E	88-17-068	174-136-02005	NEW-W	88-23-025
174-120-040	NEW	88-17-069	174-136-030	NEW-P	88-22-080
174-120-050	NEW-P	88-14-102	174-136-030	NEW-W	89-01-100
174-120-050	NEW-E	88-17-068	174-136-060	AMD-P	88-22-082
174-120-050	NEW	88-17-069	174-136-060	AMD	89-01-064
174-120-060	NEW-P	88-14-102	174-136-070	REP-P	88-22-082
174-120-060	NEW-E	88-17-068	174-136-070	REP	89-01-064
174-120-060	NEW	88-17-069	174-136-080	AMD-P	88-22-082
174-120-070	NEW-P	88-14-102	174-136-080	AMD	89-01-064
174-120-070	NEW-E	88-17-068	174-136-090	AMD-P	88-22-082
174-120-070	NEW	88-17-069	174-136-090	AMD	89-01-064
174-120-070	NEW-P	88-14-102	174-136-100	AMD-P	88-22-082
174-120-080	NEW-P	88-14-102	174-136-100	AMD	89-01-064
174-120-080	NEW-E	88-17-068	174-136-100	AMD	89-01-064
174-120-080	NEW	88-17-069	174-136-110	AMD-P	88-22-082
174-120-090	NEW-P	88-14-102	174-136-110	AMD	89-01-064
174-120-090	NEW	88-17-069	174-136-120	AMD-P	88-22-082
174-120-090	NEW-E	88-17-068	174-136-120	AMD	89-01-064
174-124-020	REP-P	88-14-101	174-136-300	NEW-P	88-14-103
174-124-020	REP-P	88-14-102	174-136-300	NEW-E	88-17-070
174-124-020	REP-E	88-17-068	174-136-300	NEW	88-17-071
174-124-020	REP	88-17-069	174-136-310	NEW-P	88-14-103

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-59-160	NEW-P	89-01-088	180-78-110	NEW	88-07-002
180-59-165	NEW-P	89-01-088	180-78-115	NEW	88-07-002
180-75-017	AMD-P	88-21-105	180-78-120	NEW	88-07-002
180-75-017	AMD	89-01-040	180-78-125	NEW	88-07-002
180-75-047	NEW-P	88-21-105	180-78-125	AMD-P	88-21-106
180-75-047	NEW	89-01-040	180-78-125	AMD	89-01-041
180-75-048	NEW-P	88-21-105	180-78-130	NEW	88-07-002
180-75-048	NEW	89-01-040	180-78-140	NEW	88-07-002
180-75-055	AMD-P	88-21-105	180-78-140	AMD-P	88-21-106
180-75-055	AMD	89-01-040	180-78-140	AMD	89-01-041
180-75-061	AMD-P	88-21-105	180-78-145	NEW	88-07-002
180-75-061	AMD	89-01-040	180-78-145	AMD-P	88-21-106
180-75-085	AMD-P	88-08-073	180-78-145	AMD	89-01-041
180-75-085	AMD	88-13-009	180-78-150	NEW	88-07-002
180-75-087	AMD-P	88-21-105	180-78-150	AMD-P	88-21-106
180-75-087	AMD	89-01-040	180-78-150	AMD	89-01-041
180-75-088	NEW-P	88-21-105	180-78-155	NEW	88-07-002
180-75-088	NEW	89-01-040	180-78-160	NEW	88-07-002
180-75-090	AMD-P	88-21-105	180-78-160	AMD-E	88-12-015
180-75-090	AMD	89-01-040	180-78-160	AMD-P	88-17-038
180-78	AMD-C	88-03-025	180-78-160	AMD	88-21-013
180-78	AMD	88-07-002	180-78-160	AMD-P	88-21-106
180-78-005	AMD-P	88-21-106	180-78-160	AMD	89-01-041
180-78-005	AMD	89-01-041	180-78-165	NEW	88-07-002
180-78-007	NEW	88-07-002	180-78-165	AMD-P	88-21-106
180-78-008	NEW	88-07-002	180-78-165	AMD	89-01-041
180-78-008	AMD-P	88-21-106	180-78-170	NEW	88-07-002
180-78-008	AMD	89-01-041	180-78-170	AMD-P	88-21-106
180-78-010	AMD	88-07-002	180-78-170	AMD	89-01-041
180-78-010	AMD-P	88-21-106	180-78-175	NEW	88-07-002
180-78-010	AMD	89-01-041	180-78-180	NEW	88-07-002
180-78-026	NEW	88-07-002	180-78-185	NEW	88-07-002
180-78-027	REP	88-07-002	180-78-190	NEW	88-07-002
180-78-028	NEW	88-07-002	180-78-193	AMD	88-07-002
180-78-028	AMD-P	88-21-106	180-78-193	AMD-P	88-21-106
180-78-028	AMD	89-01-041	180-78-193	AMD	89-01-041
180-78-029	NEW	88-07-002	180-78-194	AMD	88-07-002
180-78-029	AMD-P	88-21-106	180-78-199	AMD	88-07-002
180-78-029	AMD	89-01-041	180-78-205	NEW	88-07-002
180-78-030	REP	88-07-002	180-78-210	NEW	88-07-002
180-78-033	NEW	88-07-002	180-78-215	NEW	88-07-002
180-78-033	AMD-P	88-21-106	180-78-220	NEW	88-07-002
180-78-033	AMD	89-01-041	180-78-225	NEW	88-07-002
180-78-035	REP	88-07-002	180-78-230	NEW	88-07-002
180-78-036	NEW	88-07-002	180-78-235	NEW	88-07-002
180-78-037	NEW	88-07-002	180-78-240	NEW	88-07-002
180-78-040	REP	88-07-002	180-78-245	NEW	88-07-002
180-78-045	REP-P	88-21-106	180-78-250	NEW	88-07-002
180-78-045	REP	89-01-041	180-78-255	NEW	88-07-002
180-78-047	NEW	88-07-002	180-78-260	NEW	88-07-002
180-78-047	AMD-P	88-21-106	180-78-265	NEW	88-07-002
180-78-047	AMD	89-01-041	180-78-270	NEW	88-07-002
180-78-050	REP	88-07-002	180-78-275	NEW	88-07-002
180-78-055	REP	88-07-002	180-78-280	NEW	88-07-002
180-78-057	AMD	88-07-002	180-78-285	NEW	88-07-002
180-78-057	AMD-P	88-21-106	180-78-290	NEW	88-07-002
180-78-057	AMD	89-01-041	180-78-295	NEW	88-07-002
180-78-060	AMD	88-07-002	180-78-300	NEW	88-07-002
180-78-063	NEW	88-07-002	180-78-305	NEW	88-07-002
180-78-063	AMD-P	88-21-106	180-78-310	NEW	88-07-002
180-78-063	AMD	89-01-041	180-78-315	NEW	88-07-002
180-78-065	NEW	88-07-002	180-78-320	NEW	88-07-002
180-78-068	NEW	88-07-002	180-78-325	NEW	88-07-002
180-78-070	NEW	88-07-002	180-79-005	AMD-P	88-21-107
180-78-073	NEW	88-07-002	180-79-005	AMD	89-01-042
180-78-073	AMD-P	88-21-106	180-79-007	AMD-E	88-05-045
180-78-073	AMD	89-01-041	180-79-007	AMD-P	88-05-051
180-78-074	NEW	88-07-002	180-79-007	AMD	88-08-046
180-78-075	NEW	88-07-002	180-79-007	REP-P	88-21-107
180-78-075	AMD-P	88-21-106	180-79-007	REP	89-01-042
180-78-075	AMD	89-01-041	180-79-010	AMD	88-05-047
180-78-080	NEW	88-07-002	180-79-010	AMD-P	88-21-107
180-78-085	NEW	88-07-002	180-79-010	AMD	89-01-042
180-78-090	NEW	88-07-002	180-79-013	REP	88-05-047
180-78-095	NEW	88-07-002	180-79-014	REP	88-05-047
180-78-100	NEW	88-07-002	180-79-045	AMD	88-05-047
180-78-105	NEW	88-07-002	180-79-047	NEW-P	88-21-107

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<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>
180-79-315	AMD	89-01-042	180-96-020	NEW-E	88-21-101
180-79-317	AMD-P	88-21-107	180-96-020	NEW-P	88-21-111
180-79-317	AMD	89-01-042	180-96-020	NEW	89-01-036
180-79-396	AMD-P	88-21-107	180-96-025	NEW-E	88-21-101
180-79-396	AMD	89-01-042	180-96-025	NEW-P	88-21-111
180-80-205	REP	88-05-048	180-96-025	NEW	89-01-036
180-80-210	REP	88-05-048	180-96-030	NEW-E	88-21-101
180-80-215	REP	88-05-048	180-96-030	NEW-P	88-21-111
180-80-280	REP	88-05-048	180-96-030	NEW	89-01-036
180-80-285	REP	88-05-048	180-96-035	NEW-E	88-21-101
180-80-290	REP	88-05-048	180-96-035	NEW-P	88-21-111
180-80-295	REP	88-05-048	180-96-035	NEW	89-01-036
180-80-300	REP	88-05-048	180-96-040	NEW-E	88-21-101
180-80-301	REP	88-05-048	180-96-040	NEW-P	88-21-111
180-80-302	REP	88-05-048	180-96-040	NEW	89-01-036
180-80-303	REP	88-05-048	180-96-045	NEW-E	88-21-101
180-80-312	REP	88-05-048	180-96-045	NEW-P	88-21-111
180-80-530	REP	88-05-048	180-96-045	NEW	89-01-036
180-80-705	REP	88-05-048	180-96-050	NEW-E	88-21-101
180-81-003	NEW-P	88-21-108	180-96-050	NEW-P	88-21-111
180-81-003	NEW	89-01-044	180-96-050	NEW	89-01-036
180-81-005	NEW-P	88-21-108	180-96-055	NEW-E	88-21-101
180-81-005	NEW	89-01-044	180-96-055	NEW-P	88-21-111
180-81-010	NEW-P	88-21-108	180-96-055	NEW	89-01-036
180-81-010	NEW	89-01-044	180-96-060	NEW-E	88-21-101
180-81-015	NEW-P	88-21-108	180-96-060	NEW-P	88-21-111
180-81-015	NEW	89-01-044	180-96-060	NEW	89-01-036
180-81-020	NEW-P	88-21-108	180-96-065	NEW-E	88-21-101
180-81-020	NEW	89-01-044	180-96-065	NEW-P	88-21-111
180-81-025	NEW-P	88-21-108	180-96-065	NEW	89-01-036
180-81-025	NEW	89-01-044	180-96-070	NEW-E	88-21-101
180-81-030	NEW-P	88-21-108	180-96-070	NEW-P	88-21-111
180-81-030	NEW	89-01-044	180-96-070	NEW	89-01-036
180-81-035	NEW-P	88-21-108	180-96-075	NEW-E	88-21-101
180-81-035	NEW	89-01-044	180-96-075	NEW-P	88-21-111
180-84-015	REP	88-05-049	180-96-075	NEW	89-01-036
180-84-020	REP	88-05-049	180-110-010	NEW	88-06-002
180-84-025	REP	88-05-049	180-110-015	NEW	88-06-002
180-84-050	REP	88-05-049	180-110-017	NEW	88-06-002
180-84-055	REP	88-05-049	180-110-020	NEW	88-06-002
180-84-060	REP	88-05-049	180-110-030	NEW	88-06-002
180-84-075	REP	88-05-049	180-110-035	NEW	88-06-002
180-84-080	REP	88-05-049	180-110-040	NEW	88-06-002
180-84-090	REP	88-05-049	180-110-045	NEW	88-06-002
180-85-020	AMD-P	88-21-109	180-110-050	NEW	88-06-002
180-85-020	AMD	89-01-043	180-110-052	NEW	88-06-002
180-85-025	AMD-P	88-21-109	180-110-053	NEW	88-06-002
180-85-025	AMD	89-01-043	180-110-055	NEW	88-06-002
180-85-030	AMD-P	88-21-109	180-110-060	NEW	88-06-002
180-85-030	AMD	89-01-043	180-110-065	NEW	88-06-002
180-85-075	AMD-P	88-21-109	180-115-005	NEW-E	88-05-046
180-85-075	AMD	89-01-043	180-115-005	NEW-P	88-05-052
180-85-080	AMD-P	88-21-109	180-115-005	NEW	88-08-044
180-85-080	AMD	89-01-043	180-115-010	NEW-E	88-05-046
180-85-083	NEW-P	88-21-109	180-115-010	NEW-P	88-05-052
180-85-083	NEW	89-01-043	180-115-010	NEW	88-08-044
180-85-085	AMD-P	88-21-109	180-115-015	NEW-E	88-05-046
180-85-085	AMD	89-01-043	180-115-015	NEW-P	88-05-052
180-85-120	AMD-P	88-21-109	180-115-015	NEW	88-08-044
180-85-120	AMD	89-01-043	180-115-020	NEW-E	88-05-046
180-85-200	AMD-P	88-21-109	180-115-020	NEW-P	88-05-052
180-85-200	AMD	89-01-043	180-115-020	NEW	88-08-044
180-85-202	AMD-P	88-21-109	180-115-025	NEW-E	88-05-046
180-85-202	AMD	89-01-043	180-115-025	NEW-P	88-05-052
180-85-225	AMD-P	88-21-109	180-115-025	NEW	88-08-044
180-85-225	AMD	89-01-043	180-115-030	NEW-E	88-05-046
180-90-160	AMD-P	88-21-110	180-115-030	NEW-P	88-05-052
180-90-160	AMD	89-01-038	180-115-030	NEW	88-08-044
180-96-005	NEW-E	88-21-101	180-115-035	NEW-E	88-05-046
180-96-005	NEW-P	88-21-111	180-115-035	NEW-P	88-05-052
180-96-005	NEW	89-01-036	180-115-035	NEW	88-08-044
180-96-010	NEW-E	88-21-101	180-115-040	NEW-E	88-05-046
180-96-010	NEW-P	88-21-111	180-115-040	NEW-P	88-05-052
180-96-010	NEW	89-01-036	180-115-040	NEW	88-08-044
180-96-015	NEW-E	88-21-101	180-115-045	NEW-E	88-05-046
180-96-015	NEW-P	88-21-111	180-115-045	NEW-P	88-05-052
180-96-015	NEW	89-01-036	180-115-045	NEW	88-08-044
180-115-050	NEW-E	88-05-046	180-115-050	NEW-P	88-05-052
180-115-050	NEW	88-08-044	180-115-050	NEW	88-08-044
180-115-055	NEW-E	88-05-046	180-115-055	NEW-P	88-05-052
180-115-055	NEW	88-08-044	180-115-055	NEW	88-08-044
180-115-060	NEW-E	88-05-046	180-115-060	NEW-P	88-05-052
180-115-060	NEW	88-08-044	180-115-060	NEW	88-08-044
180-115-065	NEW-E	88-05-046	180-115-065	NEW-P	88-05-052
180-115-065	NEW	88-08-044	180-115-065	NEW	88-08-044
180-115-070	NEW-E	88-05-046	180-115-070	NEW-P	88-05-046
180-115-070	NEW	88-08-044	180-115-070	NEW	88-08-044
180-115-075	NEW-E	88-05-046	180-115-075	NEW-P	88-05-052
180-115-075	NEW	88-08-044	180-115-075	NEW	88-08-044
180-115-080	NEW-E	88-05-046	180-115-080	NEW-P	88-05-052
180-115-080	NEW	88-08-044	180-115-080	NEW	88-08-044
180-115-085	NEW-E	88-05-046	180-115-085	NEW-P	88-05-046
180-115-085	NEW	88-08-044	180-115-085	NEW	88-08-044
180-115-090	NEW-E	88-05-046	180-115-090	NEW-P	88-05-052
180-115-090	NEW	88-08-044	180-115-090	NEW	88-08-044
180-115-095	NEW-E	88-05-046	180-115-095	NEW-P	88-05-046
180-115-095	NEW	88-08-044	180-115-095	NEW	88-08-044
180-115-105	NEW-E	88-05-046	180-115-105	NEW-P	88-05-052
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180-115-109	NEW-E	88-05-046	180-115-109	NEW-P	88-05-052
180-115-109	NEW	88-08-044	180-115-109	NEW	88-08-044
180-115-115	NEW-E	88-05-046	180-115-115	NEW-P	88-05-052
180-115-115	NEW	88-08-044	180-115-115	NEW	88-08-044
180-12-115	AMD-P	88-24-039	182-12-115	AMD-P	88-09-058
180-12-115	AMD	88-12-034	182-12-115	AMD	88-12-034
182-08-165	NEW-P	88-24-039	182-12-115	AMD-E	88-16-051
182-12-115	AMD-C	88-17-021	182-12-115	AMD-C	88-17-021
182-12-115	AMD	88-19-078	182-12-115	AMD	88-19-078
182-12-140	REP-P	88-24-039	182-12-140	AMD-E	88-18-037
182-12-165	AMD	88-19-078	182-12-165	AMD	88-19-078
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182-12-172	AMD-E	88-23-112	182-12-172	AMD-E	88-23-112
182-12-172	AMD	88-01-053	182-12-172	AMD	88-01-053
182-12-120	REP-P	88-09-058	182-12-120	REP	88-12-034
182-12-127	AMD-P	88-16-050	182-12-127	AMD-P	88-16-050
182-12-127	AMD-C	88-17-021	182-12-127	AMD-C	88-17-021
182-12-127	AMD	88-19-078	182-12-127	AMD	88-19-078
182-12-140	REP-P	88-24-039	182-12-140	AMD-C	88-17-021
182-12-165	AMD	88-09-058	182-12-165	AMD	88-09-058
182-12-165	AMD	88-12-034	182-12-165	AMD	88-12-034
182-12-210	AMD-P	88-24-008	182-12-210	AMD-P	88-24-008
182-12-210	AMD-C	88-16-050	182-12-210	AMD-C	88-16-050
182-12-210	AMD	88-17-021	182-12-210	AMD	88-17-021
182-12-210	AMD	88-19-078	182-12-210	AMD	88-19-078
192-09-030	AMD-P	88-24-008	192-09-030	AMD-P	88-24-008
192-09-063	AMD-P	88-24-008	192-09-063	AMD-P	88-24-008
192-09-315	AMD-P	88-24-008	192-12-019	AMD-P	88-13-127
192-12-019	AMD-P	88-13-127	192-12-019	AMD-P	88-16-077
192-12-025	AMD-P	88-24-006	192-12-025	AMD-P	88-24-006
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192-12-205	NEW-P	88-07-108	192-16-057	NEW-P	88-07-108
192-16-057	NEW-P	88-07-108	192-16-057	NEW	88-10-020
192-16-061	NEW	88-05-034	192-16-061	NEW	88-05-034
192-16-065	NEW-E	88-07-107	192-16-065	NEW-E	88-07-107
192-16-065	NEW-P	88-07-108	192-16-065	NEW-P	88-07-108
192-16-065	NEW	88-10-020	192-16-065	NEW	88-10-020
192-18-012	NEW-P	88-13-072	192-18-012	NEW-P	88-13-072
192-18-012	NEW-E	88-13-073	192-18-012	NEW-E	88-13-073
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192-28-110	AMD	88-10-021	204-36-030	AMD	88-15-052
192-28-120	AMD-P	88-07-109	204-36-040	AMD-P	88-11-012
192-28-120	AMD	88-10-021	204-36-040	AMD	88-15-052
192-28-130	NEW-P	88-07-109	204-36-050	AMD-P	88-11-012
192-28-130	NEW	88-10-021	204-36-050	AMD	88-15-052
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192-42-005	NEW	88-12-051	204-36-060	AMD	88-15-052
192-42-010	NEW-P	88-07-110	204-36-070	AMD-P	88-11-012
192-42-010	NEW	88-12-051	204-36-070	AMD	88-15-052
192-42-020	NEW-P	88-07-110	204-38-010	AMD-P	88-11-013
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192-42-030	NEW-P	88-07-110	204-38-050	AMD-P	88-11-013
192-42-030	NEW	88-12-051	204-38-050	AMD	88-15-055
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192-42-040	NEW	88-12-051	204-40-010	AMD	88-15-049
192-42-050	NEW-P	88-07-110	204-40-030	AMD-P	88-11-014
192-42-050	NEW	88-12-051	204-40-030	AMD	88-15-049
192-42-060	NEW-P	88-07-110	204-50-040	AMD-P	88-11-015
192-42-060	NEW	88-12-051	204-50-040	AMD	88-15-050
192-42-070	NEW-P	88-07-110	204-50-050	AMD-P	88-11-015
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192-44-060	NEW-P	88-11-091	204-80-060	NEW	88-15-054
192-44-070	NEW-P	88-11-091	204-88-010	AMD-P	88-11-018
192-44-080	NEW-P	88-11-091	204-88-010	AMD	88-15-053
192-44-090	NEW-P	88-11-091	204-88-030	AMD-P	88-11-018
192-44-100	NEW-P	88-11-091	204-88-030	AMD	88-15-053
192-44-110	NEW-P	88-11-091	204-88-070	AMD-P	88-11-018
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196-04-025	NEW-E	88-05-064	204-91-040	REP-W	88-16-021
196-04-025	NEW-P	88-07-094	204-91-050	REP-P	88-13-058
196-04-025	NEW	88-12-044	204-91-050	REP-W	88-16-021
196-04-030	AMD-E	88-05-064	204-91-060	REP-P	88-13-058
196-04-030	AMD-P	88-07-094	204-91-060	REP-W	88-16-021
196-04-030	AMD	88-12-044	204-91-070	REP-P	88-13-058
196-12-010	AMD-E	88-05-064	204-91-070	REP-W	88-16-021
196-12-010	AMD-P	88-07-094	204-91-080	REP-P	88-13-058
196-12-010	AMD	88-12-044	204-91-080	REP-W	88-16-021
196-12-085	AMD-E	88-05-064	204-91-100	REP-P	88-13-058
196-12-085	AMD-P	88-07-094	204-91-100	REP-W	88-16-021
196-12-085	AMD	88-12-044	204-91-110	REP-P	88-13-058
196-16-007	AMD-E	88-05-064	204-91-110	REP-W	88-16-021
196-16-007	AMD-P	88-07-094	204-91-120	REP-P	88-13-058
196-16-007	AMD	88-12-044	204-91-120	REP-W	88-16-021
196-16-007	AMD-P	89-01-078	204-91-130	REP-P	88-13-058
196-16-020	AMD-P	89-01-078	204-91-130	REP-W	88-16-021
196-16-031	AMD-P	89-01-078	204-91-140	REP-P	88-13-058
196-20-010	AMD-E	88-05-064	204-91-140	REP-W	88-16-021
196-20-010	AMD-P	88-07-094	204-91-150	REP-P	88-13-058
196-20-010	AMD	88-12-044	204-91-150	REP-W	88-16-021
196-24-080	AMD-P	89-01-078	204-91-160	REP-P	88-13-058
196-24-085	AMD-P	89-01-078	204-91-160	REP-W	88-16-021
204-08-020	AMD	88-03-031	204-91-170	REP-P	88-13-058
204-08-030	AMD	88-03-031	204-91-170	REP-W	88-16-021
204-08-040	AMD	88-03-031	204-91-180	REP-P	88-13-058
204-08-050	AMD	88-03-031	204-91-180	REP-W	88-16-021
204-29-010	NEW-E	88-14-022	204-91-190	REP-P	88-13-058
204-29-010	NEW-E	88-20-041	204-91-190	REP-W	88-16-021
204-29-010	NEW-P	88-20-064	204-91-200	REP-P	88-13-058
204-36-010	AMD-P	88-11-012	204-91-200	REP-W	88-16-021
204-36-010	AMD	88-15-052	204-91A-010	NEW-P	88-13-058
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212-17-345	AMD	88-08-027	220-32-0300T	NEW-E	88-17-036
212-17-352	NEW-P	88-03-014	220-32-0300T	REP-E	88-19-012
212-17-352	NEW	88-08-027	220-32-0300U	NEW-E	88-19-012
212-17-362	NEW-P	88-03-014	220-32-0300U	REP-E	88-19-059
212-17-362	NEW	88-08-027	220-32-0300V	NEW-E	88-19-059
220-01-00100A	NEW-E	88-18-087	220-32-0300V	REP-E	88-21-019
220-01-00100A	REP-E	88-19-007	220-32-031	REP-P	88-14-136
220-12-020	AMD-P	88-07-111	220-32-031	REP	88-22-005
220-12-020	AMD-C	88-10-041	220-32-031	REP-E	88-22-006
220-12-020	AMD	88-12-025	220-32-032	REP-P	88-14-136
220-16-040	AMD-P	88-14-136	220-32-032	REP	88-22-005
220-16-040	AMD	88-18-066	220-32-032	REP-E	88-22-006
220-16-085	AMD-P	88-03-076	220-32-033	REP-P	88-14-136
220-16-085	AMD	88-10-012	220-32-033	REP	88-22-005
220-16-08500A	NEW-E	88-08-002	220-32-033	REP-E	88-22-006
220-16-400	NEW-P	88-14-136	220-32-034	REP-P	88-14-136
220-16-400	NEW	88-18-066	220-32-034	REP	88-22-005
220-16-405	NEW-P	88-14-136	220-32-034	REP-E	88-22-006
220-16-405	NEW	88-18-066	220-32-036	REP-P	88-14-136
220-20-010	AMD-P	88-03-075	220-32-036	REP	88-22-005
220-20-010	AMD	88-10-013	220-32-036	REP-E	88-22-006
220-20-01000J	NEW-E	88-08-002	220-32-040	REP-P	88-14-136
220-20-01000L	NEW-E	88-13-074	220-32-040	REP	88-22-005
220-20-010	AMD-P	88-23-125	220-32-040	REP-E	88-22-006
220-20-060	NEW-P	88-13-005	220-32-041	REP-P	88-14-136
220-20-060	NEW	88-16-074	220-32-041	REP	88-22-005
220-20-070	NEW-P	88-22-083	220-32-041	REP-E	88-22-006
220-20-070	NEW-W	88-23-087	220-32-04100K	NEW-E	88-11-041
220-20-06000A	NEW-E	88-13-006	220-32-043	REP-P	88-14-136
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220-22-030	AMD-C	88-13-069	220-32-044	REP-E	88-22-006
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220-28-800	REP-E	88-19-046	220-32-05100D	NEW-E	88-14-018
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220-32-016	REP-E	88-22-006	220-32-05100F	NEW-E	88-17-010
220-32-017	REP-P	88-14-136	220-32-05100F	REP-E	88-17-076
220-32-017	REP	88-22-005	220-32-05100G	NEW-E	88-17-076
220-32-017	REP-E	88-22-006	220-32-05100G	REP-E	88-18-019
220-32-020	REP-P	88-14-136	220-32-05100H	NEW-E	88-18-019
220-32-020	REP	88-22-005	220-32-05100H	REP-E	88-18-067
220-32-020	REP-E	88-22-006	220-32-05100I	NEW-E	88-18-067
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220-32-021	REP	88-22-005	220-32-05100J	NEW-E	88-19-060
220-32-021	REP-E	88-22-006	220-32-05100J	REP-E	88-19-100
220-32-022	REP-P	88-14-136	220-32-05100K	NEW-E	88-19-100
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220-32-022	REP-E	88-22-006	220-32-05100L	NEW-E	88-20-021
220-32-023	REP-P	88-14-136	220-32-05100M	NEW-E	88-20-050
220-32-023	REP	88-22-005	220-32-05100M	REP-E	88-21-008
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220-32-024	REP-P	88-14-136	220-32-05100Z	NEW-E	88-05-014
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220-32-025	REP-E	88-22-006	220-33-001	NEW-P	88-14-136
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220-32-030	REP	88-22-005	220-33-005	NEW-P	88-14-136
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220-47-307	AMD	88-14-133	220-47-926	NEW-E	88-22-042
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220-47-311	AMD-C	88-13-069	220-47-927	NEW-E	88-23-013
220-47-311	AMD	88-14-133	220-47-927	REP-E	88-23-029
220-47-312	AMD-P	88-10-060	220-47-928	NEW-E	88-23-029
220-47-312	AMD-C	88-13-069	220-47-928	REP-E	88-23-033
220-47-312	AMD	88-14-133	220-47-929	NEW-E	88-23-033
220-47-313	AMD-P	88-10-060	220-47-929	REP-E	88-23-048
220-47-313	AMD-C	88-13-069	220-47-930	NEW-E	88-23-048
220-47-313	AMD	88-14-133	220-47-930	REP-E	88-23-064
220-47-401	AMD-P	88-10-060	220-47-931	NEW-E	88-23-064
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220-47-411	AMD	88-14-133	220-47-933	REP-E	88-23-114
220-47-412	AMD-P	88-10-060	220-47-934	NEW-E	88-23-114
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220-47-412	AMD	88-14-133	220-47-935	NEW-E	88-23-127
220-47-413	AMD-P	88-10-060	220-47-935	REP-E	88-24-015
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248-18-515	AMD	88-23-083	248-54-185	AMD	88-05-057
248-18-655	AMD-P	88-12-032	248-54-194	NEW	88-05-057
248-18-655	AMD	88-16-086	248-54-195	REP	88-05-057
248-18-718	AMD-P	88-12-032	248-54-196	NEW	88-05-057
248-18-718	AMD	88-16-086	248-54-201	NEW	88-05-057
248-18-99902	AMD-P	88-12-032	248-54-205	AMD	88-05-057
248-18-99902	AMD	88-16-086	248-54-215	AMD	88-05-057
248-19-220	AMD-P	88-11-057	248-54-225	AMD	88-05-057
248-19-220	AMD	88-15-021	248-54-235	AMD	88-05-057
248-19-328	AMD	88-04-047	248-54-255	AMD	88-05-057
248-19-328	AMD-P	88-21-087	248-54-265	AMD	88-05-057
248-19-328	AMD	88-24-026	248-54-275	REP	88-05-057
248-19-373	AMD	88-04-047	248-54-285	AMD	88-05-057
248-19-373	AMD-P	88-21-087	248-54-291	NEW	88-05-057
248-19-373	AMD	88-24-026	248-63	AMD-P	88-06-092
248-19-375	NEW-P	88-21-087	248-63	AMD	88-10-027
248-19-375	NEW	88-24-026	248-63-001	AMD-P	88-06-092
248-19-440	AMD-P	88-07-121	248-63-001	AMD	88-10-027
248-25	AMD-P	88-12-029	248-63-010	AMD-P	88-06-092
248-25	AMD	88-17-022	248-63-010	AMD	88-10-027
248-25-001	AMD-P	88-12-029	248-63-020	REP-P	88-06-092
248-25-001	AMD	88-17-022	248-63-020	REP	88-10-027
248-25-002	AMD-P	88-12-029	248-63-025	NEW-P	88-06-092
248-25-002	AMD	88-17-022	248-63-025	NEW	88-10-027
248-25-010	AMD-P	88-12-029	248-63-030	REP-P	88-06-092
248-25-010	AMD	88-17-022	248-63-030	REP	88-10-027
248-25-020	AMD-P	88-12-029	248-63-035	NEW-P	88-06-092
248-25-020	AMD	88-17-022	248-63-035	NEW	88-10-027
248-25-030	AMD-P	88-12-029	248-63-040	REP-P	88-06-092
248-25-030	AMD	88-17-022	248-63-040	REP	88-10-027
248-25-035	NEW-P	88-12-029	248-63-045	NEW-P	88-06-092
248-25-035	NEW	88-17-022	248-63-045	NEW	88-10-027
248-25-040	AMD-P	88-12-029	248-63-050	REP-P	88-06-092
248-25-040	AMD	88-17-022	248-63-050	REP	88-10-027
248-25-045	NEW-P	88-12-029	248-63-055	NEW-P	88-06-092
248-25-045	NEW	88-17-022	248-63-055	NEW	88-10-027
248-25-050	AMD-P	88-12-029	248-63-060	REP-P	88-06-092
248-25-050	AMD	88-17-022	248-63-060	REP	88-10-027
248-25-060	AMD-P	88-12-029	248-63-065	NEW-P	88-06-092
248-25-060	AMD	88-17-022	248-63-065	NEW	88-10-027
248-25-070	AMD-P	88-12-029	248-63-070	REP-P	88-06-092
248-25-070	AMD	88-17-022	248-63-070	REP	88-10-027
248-25-100	AMD-P	88-12-029	248-63-075	NEW-P	88-06-092
248-25-100	AMD	88-17-022	248-63-075	NEW	88-10-027
248-25-120	AMD-P	88-12-029	248-63-080	REP-P	88-06-092
248-25-120	AMD	88-17-022	248-63-080	REP	88-10-027
248-40-040	AMD-P	88-10-044	248-63-085	NEW-P	88-06-092
248-40-040	AMD	88-13-080	248-63-085	NEW	88-10-027
248-40-040	AMD-E	88-15-047	248-63-090	REP-P	88-06-092
248-40-040	AMD-E	88-21-057	248-63-090	REP	88-10-027
248-40-040	AMD-P	88-21-088	248-63-095	NEW-P	88-06-092
248-40-050	AMD-P	88-10-044	248-63-095	NEW	88-10-027
248-40-050	AMD	88-13-080	248-63-100	REP-P	88-06-092
248-40-050	AMD-P	88-21-088	248-63-100	REP	88-10-027
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248-100-026	NEW	88-07-063	248-172-401	NEW	88-04-090
248-100-036	NEW-P	88-03-022	248-172-402	NEW	88-04-090
248-100-036	NEW	88-07-063	250-20-021	AMD-P	88-06-089
248-100-036	AMD-P	88-18-102	250-20-021	AMD	88-10-001
248-100-036	AMD-E	88-21-058	250-20-031	AMD-P	88-06-089
248-100-036	AMD-P	88-21-089	250-20-031	AMD	88-10-001
248-100-050	REP-P	88-03-022	250-40-030	AMD-P	88-06-090
248-100-050	REP	88-07-063	250-40-030	AMD	88-10-002
248-100-071	AMD-P	88-18-102	250-40-040	AMD-P	88-06-090
248-100-072	NEW-E	88-21-058	250-40-040	AMD	88-10-002
248-100-072	NEW-P	88-21-089	250-40-050	AMD-P	88-06-090
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248-100-163	REP-P	88-03-022	250-60-020	AMD-P	88-06-091
248-100-163	REP	88-07-063	250-60-020	AMD	88-10-003
248-100-164	REP-P	88-03-022	250-60-030	AMD-P	88-06-091
248-100-164	REP	88-07-063	250-60-030	AMD	88-10-003
248-100-166	NEW-P	88-03-022	250-60-040	AMD-P	88-06-091
248-100-166	NEW	88-07-063	250-60-040	AMD	88-10-003
248-100-171	NEW-P	88-03-022	250-60-050	AMD-P	88-06-091
248-100-171	NEW	88-07-063	250-60-050	AMD	88-10-003
248-100-176	NEW-P	88-03-022	250-60-060	AMD-P	88-06-091
248-100-176	NEW	88-07-063	250-60-060	AMD	88-10-003
248-100-181	NEW-P	88-03-022	250-60-070	AMD-P	88-06-091
248-100-181	NEW	88-07-063	250-60-070	AMD	88-10-003
248-100-186	NEW-P	88-03-022	250-60-080	AMD-P	88-06-091
248-100-186	NEW	88-07-063	250-60-080	AMD	88-10-003
248-100-191	NEW-P	88-03-022	250-60-090	AMD-P	88-06-091
248-100-191	NEW	88-07-063	250-60-090	AMD	88-10-003
248-100-196	NEW-P	88-03-022	250-60-100	AMD-P	88-06-091
248-100-196	NEW	88-07-063	250-60-100	AMD	88-10-003
248-100-201	NEW-P	88-03-022	250-60-110	AMD-P	88-06-091
248-100-201	NEW	88-07-063	250-60-110	AMD	88-10-003
248-100-206	AMD-P	88-14-079	250-60-120	AMD-P	88-06-091
248-100-206	AMD	88-17-056	250-60-120	AMD	88-10-003
248-100-206	AMD-P	88-18-103	250-65-010	NEW	88-03-008
248-100-206	AMD	88-21-093	250-65-020	NEW	88-03-008
248-100-207	NEW-E	88-09-053	250-65-030	NEW	88-03-008
248-100-207	NEW-P	88-13-104	250-65-040	NEW	88-03-008
248-100-207	NEW-E	88-13-108	250-65-050	NEW	88-03-008
248-100-207	NEW	88-17-058	250-65-060	NEW	88-03-008
248-100-208	NEW-E	88-09-053	250-66-010	NEW-P	88-11-074
248-100-208	NEW-P	88-13-104	250-66-010	NEW	88-14-088
248-100-208	NEW-E	88-13-108	250-66-020	NEW-P	88-11-074
248-100-208	NEW	88-17-058	250-66-020	NEW	88-14-088
248-100-209	NEW-P	88-13-104	250-66-030	NEW-P	88-11-074
248-100-209	NEW-E	88-13-108	250-66-030	NEW	88-14-088
248-100-209	NEW	88-17-058	250-66-040	NEW-P	88-11-074
248-100-209	AMD-P	88-18-102	250-66-040	NEW	88-14-088
248-100-209	AMD-E	88-21-058	250-66-050	NEW-P	88-11-074
248-100-209	AMD-P	88-21-089	250-66-050	NEW	88-14-088
248-100-231	AMD-P	88-03-022	250-66-060	NEW-P	88-11-074
248-100-231	AMD	88-07-063	250-66-060	NEW	88-14-088
248-100-236	AMD-P	88-03-022	250-67-010	NEW-P	88-11-075
248-100-236	AMD	88-07-063	250-67-010	NEW	88-14-089
248-100-440	REP-P	88-03-022	250-67-020	NEW-P	88-11-075
248-100-440	REP	88-07-063	250-67-020	NEW	88-14-089
248-100-450	REP-P	88-03-022	250-67-030	NEW-P	88-11-075
248-100-450	REP	88-07-063	250-67-030	NEW	88-14-089
248-100-452	REP-P	88-03-022	250-67-040	NEW-P	88-11-075
248-100-452	REP	88-07-063	250-67-040	NEW	88-14-089
248-124-010	AMD-P	88-16-108	250-67-050	NEW-P	88-11-075
248-124-010	AMD	88-19-092	250-67-050	NEW	88-14-089
248-124-015	NEW-P	88-16-108	250-67-060	NEW-P	88-11-075
248-124-015	NEW	88-19-092	250-67-060	NEW	88-14-089
248-124-160	NEW-P	88-16-107	251-01-018	NEW-P	88-02-072
248-124-160	NEW	88-19-034	251-01-028	NEW-P	88-09-057
248-172-101	NEW	88-04-090	251-01-028	NEW	88-13-018
248-172-201	NEW	88-04-090	251-01-057	AMD-P	88-09-056
248-172-202	NEW	88-04-090	251-01-057	AMD	88-13-019
248-172-203	NEW	88-04-090	251-01-255	REP-P	88-02-071
248-172-204	NEW	88-04-090	251-01-255	AMD-P	88-13-115
248-172-205	NEW	88-04-090	251-01-255	AMD	88-17-108
248-172-206	NEW	88-04-090	251-01-258	NEW-P	88-02-072
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251-11-080	NEW	88-22-057	260-34-030	NEW	88-09-033
251-11-090	NEW-P	88-17-107	260-34-040	NEW-P	88-06-052
251-11-090	NEW	88-22-057	260-34-040	NEW	88-09-033
251-11-100	NEW-P	88-17-107	260-34-050	NEW-P	88-06-052
251-11-100	NEW	88-22-057	260-34-050	NEW	88-09-033
251-11-100	AMD-P	89-01-069	260-34-060	NEW-P	88-06-052
251-11-110	NEW-P	88-17-107	260-34-060	NEW	88-09-033
251-11-110	NEW	88-22-057	260-34-070	NEW-P	88-06-052
251-11-120	NEW-P	88-17-107	260-34-070	NEW	88-09-033
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251-11-130	NEW	88-22-057	260-34-090	NEW-P	88-06-052
251-12-075	AMD-P	88-17-106	260-34-090	NEW	88-09-033
251-12-075	AMD-W	89-01-067	260-34-100	NEW-P	88-06-052
251-12-075	AMD-P	89-01-068	260-34-100	NEW	88-09-033
251-12-080	AMD-P	88-06-063	260-34-110	NEW-P	88-06-052
251-12-081	NEW-P	88-06-063	260-34-110	NEW-P	88-13-011
251-12-087	NEW-P	89-01-068	260-34-110	NEW	88-17-075
251-12-101	NEW-P	88-17-106	260-34-120	NEW-P	88-06-052
251-12-101	NEW	88-22-057	260-34-120	NEW-P	88-13-011
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251-12-102	NEW	88-22-057	260-34-130	NEW-P	88-06-052
251-12-103	NEW-P	88-17-106	260-34-130	NEW-P	88-13-011
251-12-103	NEW	88-22-057	260-34-130	NEW	88-17-075
251-12-250	AMD-P	88-06-063	260-34-140	NEW-P	88-06-052
251-12-260	AMD-P	88-22-044	260-34-140	NEW-P	88-13-011
251-12-260	AMD	89-01-071	260-34-140	NEW	88-17-075
251-12-270	AMD-P	88-06-063	260-34-150	NEW-P	88-06-052
251-12-290	AMD-P	88-06-063	260-34-150	NEW-P	88-13-011
251-12-600	AMD-P	88-17-106	260-34-150	NEW	88-17-075
251-12-600	AMD	88-22-057	260-34-160	NEW-P	88-06-052
251-14-020	AMD-P	88-02-072	260-34-160	NEW-P	88-13-011
251-14-020	AMD-C	88-06-062	260-34-160	NEW	88-17-075
251-14-020	AMD-P	88-06-075	260-34-170	NEW-P	88-06-052
251-14-020	AMD-C	88-13-112	260-34-170	NEW-P	88-13-011
251-14-020	AMD	88-18-018	260-34-170	NEW	88-17-075
251-14-030	AMD-P	88-02-072	260-34-180	NEW-P	88-06-052
251-14-052	AMD-P	88-02-072	260-34-180	NEW	88-09-033
251-14-052	AMD-C	88-06-062	260-70-010	AMD-P	88-13-011
251-14-052	AMD-P	88-06-075	260-70-010	AMD-P	88-01-112
251-14-052	AMD-C	88-13-112	260-70-090	AMD-P	88-13-011
251-14-052	AMD	88-18-018	260-70-090	AMD-P	89-01-112
251-14-054	AMD-P	88-02-072	261-40-020	AMD-P	88-10-047
251-14-054	AMD-C	88-06-062	261-40-020	AMD-E	88-13-043
251-14-054	AMD-P	88-06-075	261-40-020	AMD	88-13-044
251-14-056	AMD-P	88-04-069	261-40-150	REVIEW	88-03-065
251-14-056	AMD	88-08-018	261-40-150	AMD-E	88-08-013
251-14-058	AMD-P	88-02-072	261-40-150	AMD-P	88-08-052
251-14-058	AMD-C	88-06-062	261-40-150	AMD	88-11-033
251-14-058	AMD-P	88-06-075	261-40-150	AMD-P	88-13-053
251-14-058	AMD-C	88-13-112	261-40-150	AMD-P	88-13-132
251-14-058	AMD	88-18-018	261-40-150	AMD-C	88-16-042
251-14-058	AMD-P	88-22-044	261-40-150	AMD	88-17-054
251-14-058	AMD-C	88-06-062	261-40-150	AMD-P	88-19-094
251-14-058	AMD-P	88-06-075	261-40-150	AMD	88-22-038
251-14-058	AMD-C	88-13-112	261-40-150	AMD-P	88-01-009
251-14-058	AMD	88-18-018	261-40-150	AMD-E	89-01-010
251-14-058	AMD-P	88-02-072	261-40-170	AMD-P	88-13-053
251-14-058	AMD	89-01-071	261-40-170	AMD-P	89-01-009
251-14-110	AMD-P	89-01-068	261-40-170	AMD	88-22-038
251-17-090	AMD-P	88-21-100	261-40-190	NEW-P	88-10-047
251-17-090	AMD-C	89-01-070	261-40-190	NEW	88-13-044
251-17-140	REP-P	88-09-057	261-40-190	NEW	88-13-044
251-17-140	REP	88-13-018	261-40-170	AMD-P	88-01-009
251-17-170	AMD-P	88-08-021	261-40-170	AMD-E	89-01-010
251-18-180	AMD-P	88-21-100	261-40-190	AMD	88-22-038
251-18-180	AMD-C	89-01-070	261-40-190	AMD-P	88-01-009
251-22-110	AMD-P	88-09-056	261-50-035	NEW-P	88-13-052
251-22-110	AMD	88-13-019	261-50-035	NEW	88-16-043
251-22-110	AMD-P	88-13-114	261-50-040	AMD-P	88-13-052
251-22-110	AMD	88-17-008	261-50-040	AMD	88-16-043
251-22-115	REP-P	88-09-056	261-50-050	AMD-P	88-13-052
251-22-115	REP	88-13-019	261-50-050	AMD	88-16-043
251-24-030	AMD-P	88-21-100	261-50-060	AMD-P	88-13-052
251-24-030	AMD-C	89-01-070	261-50-060	AMD	88-16-043
260-16-090	NEW	88-06-017	261-50-090	AMD-P	88-13-052
260-20-170	AMD	88-06-017	261-50-090	AMD	88-16-043
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275-35-070	AMD	88-13-028	275-38-725	AMD-P	88-07-122
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275-35-080	AMD	88-13-028	275-38-735	REP-P	88-07-122
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275-38-530	AMD-P	88-07-122	275-38-785	AMD	88-12-087
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275-38-540	AMD	88-12-087	275-38-812	AMD-P	88-07-122
275-38-545	AMD-P	88-07-122	275-38-812	AMD	88-12-087
275-38-545	AMD	88-12-087	275-38-815	AMD-P	88-07-122
275-38-546	NEW-P	88-07-122	275-38-815	AMD	88-12-087
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275-38-550	AMD-P	88-07-122	275-38-820	AMD	88-12-087
275-38-550	AMD	88-12-087	275-38-840	AMD-P	88-07-122
275-38-555	AMD-P	88-07-122	275-38-840	AMD	88-12-087
275-38-555	AMD	88-12-087	275-38-845	AMD-P	88-07-122
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275-38-585	AMD	88-12-087	275-38-886	AMD-P	88-07-122
275-38-586	NEW-P	88-07-122	275-38-886	AMD	88-12-087
275-38-586	NEW	88-12-087	275-38-887	NEW-P	88-07-122
275-38-600	AMD-P	88-07-122	275-38-887	NEW	88-12-087
275-38-600	AMD	88-12-087	275-38-888	NEW-P	88-07-122
275-38-605	AMD-P	88-07-122	275-38-888	NEW	88-12-087
275-38-605	AMD	88-12-087	275-38-889	NEW-P	88-07-122
275-38-610	AMD-P	88-07-122	275-38-889	NEW	88-12-087
275-38-610	AMD	88-12-087	275-38-890	AMD-P	88-07-122
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275-38-615	AMD	88-12-087	275-38-892	AMD-P	88-07-122
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275-38-620	AMD	88-12-087	275-38-900	AMD-P	88-07-122
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275-38-650	AMD	88-12-087	275-38-903	NEW-P	88-07-122
275-38-655	AMD-P	88-07-122	275-38-903	NEW	88-12-087
275-38-655	AMD	88-12-087	275-38-905	REP-P	88-07-122
275-38-660	AMD-P	88-07-122	275-38-905	REP	88-12-087
275-38-660	AMD	88-12-087	275-38-906	NEW-P	88-07-122
275-38-667	AMD-P	88-07-122	275-38-906	NEW	88-12-087
275-38-667	AMD	88-12-087	275-38-925	AMD-P	88-07-122
275-38-680	AMD-P	88-07-122	275-38-925	AMD	88-12-087
275-38-680	AMD	88-12-087	275-38-940	AMD-P	88-07-122
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275-38-700	AMD	88-12-087	275-55-115	NEW-P	88-19-065
275-38-705	AMD-P	88-07-122	275-55-115	NEW	88-23-021
275-38-705	AMD	88-12-087	275-59-071	NEW-P	88-19-065
275-38-706	NEW-P	88-07-122	275-59-071	NEW	88-23-021
275-38-706	NEW	88-12-087	275-110-050	AMD-P	88-12-090
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284-23-550	NEW-P	88-21-083	284-91-010	AMD	88-11-010
284-23-550	NEW	88-24-053	284-91-020	AMD-E	88-07-051
284-23-550	AMD-E	89-01-065	284-91-020	AMD-P	88-08-051
284-23-550	AMD-P	89-01-102	284-91-020	AMD	88-11-010
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284-30-800	NEW-P	88-07-073	284-91-027	NEW-P	88-04-056
284-30-800	NEW	88-11-056	284-91-027	NEW	88-08-010
284-32-140	AMD	88-05-001	296-13	AMD-P	88-11-085
284-44-450	NEW-P	88-13-123	296-13	AMD	88-16-002
284-44-450	NEW	88-16-065	296-13-001	AMD-P	88-11-085
284-46-100	NEW-P	88-13-123	296-13-001	AMD	88-16-002
284-46-100	NEW	88-16-065	296-13-010	AMD-P	88-11-085
284-50-260	NEW-P	88-13-123	296-13-010	AMD	88-16-002
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284-55-020	AMD-P	88-19-056	296-13-035	AMD	88-16-002
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284-55-035	AMD-P	88-19-056	296-13-045	REP	88-16-002
284-55-035	AMD	88-22-061	296-13-050	AMD-P	88-11-085
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284-55-090	AMD	88-22-061	296-14-930	NEW-P	88-04-050
284-55-095	NEW-P	88-19-056	296-14-930	NEW	88-08-026
284-55-095	NEW	88-22-061	296-14-940	NEW-P	88-04-050
284-55-100	REP-P	88-19-056	296-14-940	NEW	88-08-026
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284-55-110	REP	88-22-061	296-14-960	NEW-P	88-04-050
284-55-115	NEW-P	88-19-056	296-14-960	NEW	88-08-026
284-55-115	NEW	88-22-061	296-15-020	AMD-P	88-07-100
284-55-120	NEW-P	88-19-056	296-15-020	AMD	88-12-096
284-55-120	NEW	88-22-061	296-15-022	AMD-P	88-07-100
284-55-125	NEW-P	88-19-056	296-15-022	AMD	88-12-096
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296-17-762	AMD	88-12-050	296-17-91901	AMD	88-14-107
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296-17-76201	NEW	88-12-050	296-17-91901	AMD	88-24-010
296-17-76202	NEW-P	88-06-072	296-17-91902	AMD-P	88-09-070
296-17-76202	NEW	88-12-050	296-17-91902	AMD-E	88-14-075
296-17-76203	NEW-P	88-06-072	296-17-91902	AMD	88-14-107
296-17-76203	NEW	88-12-050	296-17-91902	AMD-P	88-18-100
296-17-76204	NEW-P	88-06-072	296-17-91902	AMD	88-24-010
296-17-76204	NEW	88-12-050	296-17-91903	AMD-P	88-09-070
296-17-76205	NEW-P	88-06-072	296-17-91903	AMD-E	88-14-075
296-17-76205	NEW	88-12-050	296-17-91903	AMD	88-14-107
296-17-76206	NEW-P	88-06-072	296-17-91903	AMD-P	88-18-100
296-17-76206	NEW	88-12-050	296-17-91903	AMD	88-24-010
296-17-76207	NEW-P	88-06-072	296-17-91904	AMD-P	88-09-070
296-17-76207	NEW	88-12-050	296-17-91904	AMD-E	88-14-075
296-17-76208	NEW-P	88-06-072	296-17-91904	AMD	88-14-107
296-17-76208	NEW	88-12-050	296-17-91904	AMD-P	88-18-100
296-17-76209	NEW-P	88-06-072	296-17-91904	AMD	88-24-010
296-17-76209	NEW	88-12-050	296-17-91905	AMD-P	88-09-070
296-17-76210	NEW-P	88-06-072	296-17-91905	AMD-E	88-14-075
296-17-76210	NEW	88-12-050	296-17-91905	AMD	88-14-107
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296-17-86502	NEW	88-16-012	296-18A-480	AMD-P	88-16-091
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296-17-870	AMD-P	88-20-074	296-18A-520	AMD-P	88-09-071
296-17-870	AMD	88-24-012	296-18A-520	AMD	88-14-011
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296-17-875	AMD	88-24-012	296-20-0100	NEW	88-24-011
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296-17-885	AMD-P	88-06-076	296-20-135	AMD-P	88-19-111
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296-17-885	AMD	88-12-065	296-20-140	REP-P	88-19-111
296-17-885	AMD-P	88-20-074	296-20-140	REP	88-24-011
296-17-885	AMD	88-24-012	296-20-145	REP-P	88-19-111
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296-17-890	AMD	88-24-012	296-20-150	REP-P	88-19-111
296-17-895	AMD-P	88-02-060	296-20-150	REP	88-24-011
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296-17-895	AMD-P	88-06-072	296-20-155	REP	88-24-011
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296-17-895	AMD	88-12-050	296-20-210	AMD	88-14-012
296-17-895	AMD	88-12-065	296-21-035	AMD-P	88-09-072
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296-17-904	AMD	88-24-010	296-23-620	REP-C	88-06-036
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296-27-15501	AMD	88-14-108	296-59-020	NEW-P	88-09-074
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296-54-99012	REP	88-23-054	296-62-05405	AMD-P	88-09-074
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296-56-60081	AMD	88-14-108	296-62-05409	AMD-P	88-09-074
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296-59-005	NEW	88-14-108	296-62-05417	AMD-P	88-09-074
296-59-007	NEW-P	88-09-074	296-62-05417	AMD	88-14-108
296-59-007	NEW	88-14-108	296-62-05421	AMD-P	88-09-074
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296-99-085	NEW	88-23-054	296-130-020	NEW	88-18-044
296-99-090	NEW-P	88-18-071	296-130-020	NEW-E	88-18-045
296-99-090	NEW	88-23-054	296-130-030	NEW-P	88-14-105
296-99-093	NEW-P	88-18-071	296-130-030	NEW-C	88-18-007
296-99-093	NEW	88-23-054	296-130-030	NEW	88-18-044
296-99-095	NEW-P	88-18-071	296-130-030	NEW-E	88-18-045
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296-116-030	AMD	88-09-026	296-130-040	NEW-C	88-18-007
296-116-070	AMD-P	88-10-036	296-130-040	NEW	88-18-044
296-116-070	AMD	88-14-063	296-130-040	NEW-E	88-18-045
296-116-080	AMD-C	88-06-066	296-130-050	NEW-P	88-14-105
296-116-080	AMD	88-10-037	296-130-050	NEW-C	88-18-007
296-116-083	NEW-P	88-06-067	296-130-050	NEW	88-18-044
296-116-083	NEW	88-10-038	296-130-050	NEW-E	88-18-045
296-116-120	AMD-C	88-05-018	296-130-060	NEW-P	88-14-105
296-116-120	AMD	88-09-027	296-130-060	NEW-C	88-18-007
296-116-185	AMD	88-05-043	296-130-060	NEW	88-18-044
296-116-185	AMD-P	88-22-071	296-130-060	NEW-E	88-18-045
296-116-185	AMD-C	89-01-001	296-130-065	NEW-P	88-14-105
296-116-300	AMD	88-05-039	296-130-065	NEW	88-18-044
296-116-300	AMD-P	88-22-071	296-130-065	NEW-E	88-18-045
296-116-300	AMD-C	89-01-002	296-130-070	NEW-P	88-14-105
296-116-320	REP-P	88-06-068	296-130-070	NEW-C	88-18-007
296-116-320	REP	88-10-039	296-130-070	NEW	88-18-044
296-116-360	NEW-C	88-05-019	296-130-070	NEW-E	88-18-045
296-116-360	NEW	88-09-015	296-130-080	NEW-P	88-14-105
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296-116-370	NEW-C	88-10-035	296-130-080	NEW	88-18-044
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296-116-400	NEW-C	88-05-020	296-130-500	NEW-P	88-14-105
296-116-400	NEW	88-09-016	296-130-500	NEW-C	88-18-007
296-116-410	NEW-C	88-05-021	296-130-500	NEW	88-18-044
296-116-410	NEW	88-09-017	296-130-500	NEW-E	88-18-045
296-116-420	NEW-P	88-06-070	296-150B-015	AMD-P	88-14-104
296-116-420	NEW	88-10-040	296-150B-015	AMD	88-19-010
296-125-043	AMD-P	89-01-111	296-150B-015	AMD-P	88-24-045
296-126-020	AMD-P	89-01-111	296-150B-220	AMD-P	88-14-104
296-127	AMD-C	88-21-021	296-150B-220	AMD	88-19-010
296-127	AMD-C	88-22-021	296-150B-225	AMD-P	88-14-104
296-127-010	AMD-P	88-16-090	296-150B-225	AMD	88-19-010
296-127-010	AMD	88-22-046	296-150B-245	AMD-P	88-14-104
296-127-011	AMD-P	88-16-090	296-150B-245	AMD	88-19-010
296-127-011	AMD	88-22-046	296-155-160	AMD-P	88-09-074
296-127-013	NEW-P	88-16-090	296-155-160	AMD	88-14-108
296-127-013	NEW	88-22-046	296-155-265	AMD-P	88-18-071
296-127-014	NEW-P	88-16-090	296-155-265	AMD	88-23-054
296-127-014	NEW	88-22-046	296-155-270	AMD-P	88-18-071
296-127-015	NEW-P	88-16-090	296-155-270	AMD	88-23-054
296-127-015	NEW	88-22-046	296-155-405	AMD-P	88-18-071
296-127-016	NEW-P	88-16-090	296-155-405	AMD	88-23-054
296-127-016	NEW	88-22-046	296-155-425	REP-P	88-06-073
296-127-019	NEW-P	88-16-090	296-155-425	REP	88-11-021
296-127-019	NEW	88-22-046	296-155-426	NEW-P	88-06-073
296-127-022	NEW-E	88-13-045	296-155-426	NEW	88-11-021
296-127-022	NEW-P	88-14-106	296-155-428	NEW-P	88-06-073
296-127-022	NEW-E	88-16-013	296-155-428	NEW	88-11-021
296-127-022	NEW-C	88-18-008	296-155-429	NEW-P	88-06-073
296-127-022	NEW	88-19-055	296-155-429	NEW	88-11-021
296-127-023	NEW-P	88-16-090	296-155-430	REP-P	88-06-073
296-127-023	NEW	88-22-046	296-155-430	REP	88-11-021
296-127-025	NEW-P	88-16-090	296-155-432	NEW-P	88-06-073
296-127-025	NEW	88-22-046	296-155-432	NEW	88-11-021
296-127-026	NEW-P	88-16-090	296-155-434	NEW-P	88-06-073
296-127-026	NEW	88-22-046	296-155-434	NEW	88-11-021
296-127-040	AMD-P	88-16-090	296-155-435	REP-P	88-06-073
296-127-040	AMD	88-22-046	296-155-435	REP	88-11-021
296-127-045	AMD-P	88-16-090	296-155-437	NEW-P	88-06-073
296-127-045	AMD	88-22-046	296-155-437	NEW	88-11-021
296-130-010	NEW-P	88-14-105	296-155-440	REP-P	88-06-073
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296-130-010	NEW-E	88-18-045	296-155-441	NEW	88-11-021
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296-306-320	AMD	88-23-054	308-20-107	NEW	88-19-047
296-400-045	AMD	88-06-037	308-20-109	NEW-P	88-13-130
296-401-030	AMD-P	88-11-085	308-20-109	NEW	88-19-047
296-401-030	AMD	88-16-002	308-20-110	AMD-P	88-13-130
296-401-080	AMD-P	88-11-085	308-20-110	AMD	88-19-047
296-401-080	AMD	88-16-002	308-20-120	AMD-P	88-13-130
296-401-085	NEW-P	88-11-085	308-20-120	AMD	88-19-047
296-401-085	NEW	88-16-002	308-20-130	AMD-P	88-13-130
296-401-087	NEW-P	88-11-085	308-20-130	AMD	88-19-047
296-401-087	NEW	88-16-002	308-20-140	AMD-P	88-13-130
296-401-090	AMD-P	88-11-085	308-20-140	AMD	88-19-047
296-401-090	AMD	88-16-002	308-20-150	AMD-P	88-13-130
296-401-100	AMD-P	88-11-085	308-20-150	AMD	88-19-047
296-401-100	AMD	88-16-002	308-20-155	NEW-P	88-13-130
296-401-120	AMD-P	88-11-085	308-20-155	NEW	88-19-047
296-401-120	AMD	88-16-002	308-20-171	AMD-P	88-13-130
296-401-170	AMD-P	88-11-085	308-20-171	AMD	88-19-047
296-401-170	AMD	88-16-002	308-20-190	AMD-P	88-13-130
296-401-180	AMD-P	88-11-085	308-20-190	AMD	88-19-047
296-401-180	AMD	88-16-002	308-20-205	AMD-P	88-13-130
296-402-030	AMD-P	88-11-085	308-20-205	AMD	88-19-047
296-402-030	AMD	88-16-002	308-25-080	NEW-P	88-15-043
296-402-140	AMD-P	88-11-085	308-25-090	NEW-P	88-15-043
296-402-140	AMD	88-16-002	308-25-100	NEW-P	88-15-043
296-402-150	AMD-P	88-11-085	308-25-110	NEW-P	88-15-043
296-402-150	AMD	88-16-002	308-25-120	NEW-P	88-15-043
296-402-190	AMD-P	88-11-085	308-25-130	NEW-P	88-15-043
296-402-190	AMD	88-16-002	308-25-140	NEW-P	88-15-043
296-402-200	NEW-P	88-11-085	308-25-150	NEW-P	88-15-043
296-402-200	NEW	88-16-002	308-25-160	NEW-P	88-15-043
296-403-010	AMD-P	88-11-085	308-25-300	NEW-P	88-17-103
296-403-010	AMD	88-16-002	308-25-300	NEW	88-22-077
296-403-070	AMD-P	88-11-085	308-26-055	NEW-P	88-15-043
296-403-070	AMD	88-16-002	308-26-065	NEW-P	88-15-043
304-12-290	AMD-E	88-02-046	308-26-075	NEW-P	88-15-043
304-12-290	AMD-P	88-03-018	308-26-085	NEW-P	88-15-043
304-12-290	AMD-E	88-07-086	308-26-095	NEW-P	88-15-043
304-12-290	AMD	88-07-087	308-26-105	NEW-P	88-15-043
308-04-001	AMD-E	88-15-062	308-26-115	NEW-P	88-15-043
308-04-001	AMD-P	88-16-098	308-26-125	NEW-P	88-15-043
308-08-700	NEW-P	88-15-040	308-26-135	NEW-P	88-15-043
308-11-050	AMD-P	88-15-081	308-26-200	NEW-P	88-17-103
308-11-050	AMD	88-23-034	308-26-200	NEW	88-22-077
308-12-031	AMD-P	88-14-007	308-31-010	AMD-P	88-08-075
308-12-031	AMD	88-17-085	308-31-010	AMD	88-11-034
308-12-050	AMD-P	88-05-037	308-31-010	AMD-P	88-20-088
308-12-050	AMD	88-09-066	308-31-015	REP-P	88-08-075
308-13-020	AMD-P	88-02-069	308-31-015	REP	88-11-034
308-13-020	AMD	88-05-025	308-31-056	NEW-P	88-08-075
308-13-025	AMD-P	88-12-041	308-31-057	NEW-P	88-20-088
308-13-025	AMD	88-15-041	308-34-010	REP-P	88-15-080
308-13-032	AMD-P	88-06-059	308-34-010	REP-C	88-17-096
308-13-032	AMD	88-12-018	308-34-020	REP-P	88-15-080
308-13-150	AMD	88-04-027	308-34-020	REP-C	88-17-096
308-20-010	AMD-P	88-13-130	308-34-030	REP-P	88-15-080
308-20-010	AMD	88-19-047	308-34-030	REP-C	88-17-096
308-20-020	AMD-P	88-13-130	308-34-040	REP-P	88-15-080
308-20-020	AMD	88-19-047	308-34-040	REP-C	88-17-096
308-20-030	AMD-P	88-13-130	308-34-050	REP-P	88-15-080
308-20-030	AMD	88-19-047	308-34-050	REP-C	88-17-096
308-20-040	AMD-P	88-13-130	308-34-060	REP-P	88-15-080
308-20-040	AMD	88-19-047	308-34-060	REP-C	88-17-096
308-20-050	AMD-P	88-13-130	308-34-070	REP-P	88-15-080
308-20-050	AMD	88-19-047	308-34-070	REP-C	88-17-096
308-20-060	AMD-P	88-13-130	308-34-080	REP-P	88-15-080
308-20-060	AMD	88-19-047	308-34-080	REP-C	88-17-096
308-20-070	AMD-P	88-13-130	308-34-090	REP-P	88-15-080
308-20-070	AMD	88-19-047	308-34-090	REP-C	88-17-096
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308-20-090	AMD-P	88-13-130	308-34-110	AMD-P	88-15-079
308-20-090	AMD	88-19-047	308-34-110	AMD-E	88-16-019
308-20-100	AMD-P	88-13-130	308-34-110	AMD-C	88-17-097
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308-48-350	NEW-C	88-23-105	308-52-139	AMD	88-06-008
308-48-790	AMD-P	88-08-037	308-52-139	AMD-P	88-16-018
308-48-790	AMD	88-13-010	308-52-139	AMD-E	88-16-020
308-49-140	AMD-P	88-08-037	308-52-139	AMD	88-21-047
308-49-140	AMD	88-13-010	308-52-139	AMD-P	89-01-014
308-49-170	AMD-P	88-08-037	308-52-140	AMD	88-06-008
308-49-170	AMD	88-13-010	308-52-147	NEW	88-06-008
308-50-010	AMD-P	88-21-078	308-52-148	NEW	88-06-008
308-50-010	AMD-E	89-01-016	308-52-149	NEW	88-06-008
308-50-020	AMD-P	88-21-078	308-52-260	AMD-P	89-01-014
308-50-035	AMD-P	88-21-078	308-52-600	NEW-P	88-16-018
308-50-130	AMD-P	88-21-078	308-52-600	NEW-E	88-16-020
308-50-350	AMD-P	88-21-078	308-52-600	NEW	88-21-047
308-50-420	AMD-P	88-21-078	308-52-610	NEW-P	88-16-018
308-50-500	NEW-P	88-20-060	308-52-610	NEW-E	88-16-020
308-50-500	NEW	88-23-106	308-52-610	NEW	88-21-047
308-51	AMD-P	88-06-034	308-52-620	NEW-P	89-01-080
308-51	AMD	88-11-011	308-53-010	AMD-P	88-03-071
308-51-010	AMD-P	88-06-034	308-53-010	AMD	88-07-047
308-51-010	AMD	88-11-011	308-53-030	AMD-P	88-03-071
308-51-020	REP-P	88-06-034	308-53-030	AMD	88-07-047
308-51-020	REP	88-11-011	308-53-100	AMD-P	88-03-071
308-51-021	NEW-P	88-16-069	308-53-100	AMD	88-07-047
308-51-021	NEW	88-19-048	308-53-120	AMD-P	88-03-071
308-51-040	REP-P	88-06-034	308-53-120	AMD	88-07-047
308-51-040	REP	88-11-011	308-53-145	AMD-P	88-03-071
308-51-050	AMD-P	88-06-034	308-53-145	AMD	88-07-047
308-51-050	AMD	88-11-011	308-53-170	AMD-P	88-03-071
308-51-060	REP-P	88-06-034	308-53-170	AMD	88-07-047
308-51-060	REP	88-11-011	308-53-200	AMD-P	88-14-039
308-51-070	AMD-P	88-06-034	308-53-200	AMD-P	88-21-084
308-51-070	REP-P	88-11-055	308-53-200	AMD-C	88-22-072
308-51-070	REP	88-14-097	308-53-200	AMD	89-01-087
308-51-080	REP-P	88-06-034	308-53-400	NEW-P	88-21-085
308-51-080	REP	88-11-011	308-53-400	NEW-P	89-01-086
308-51-100	AMD-P	88-06-034	308-54-130	AMD-P	88-19-049
308-51-100	AMD	88-11-011	308-54-130	AMD	88-23-038
308-51-110	AMD-P	88-06-034	308-54-140	REP-P	88-19-049
308-51-110	AMD	88-11-011	308-54-140	REP	88-23-038
308-51-125	AMD-P	88-06-034	308-54-162	NEW-P	88-19-049
308-51-125	AMD	88-11-011	308-54-162	NEW	88-23-038
308-51-140	AMD-P	88-06-034	308-54-170	AMD-P	88-10-056
308-51-140	AMD	88-11-011	308-54-170	AMD-C	88-19-049
308-51-140	AMD-P	88-16-069	308-54-170	AMD	88-23-038
308-51-140	AMD	88-19-048	308-55-035	NEW-P	88-15-043
308-51-150	REP-P	88-06-034	308-55-045	NEW-P	88-15-043
308-51-150	REP	88-11-011	308-55-055	NEW-P	88-15-043
308-51-210	AMD-P	88-18-081	308-55-065	NEW-P	88-15-043
308-51-210	AMD-E	88-19-002	308-55-075	NEW-P	88-15-043
308-51-210	AMD	88-24-042	308-55-085	NEW-P	88-15-043
308-51-220	NEW-P	88-06-034	308-55-095	NEW-P	88-15-043
308-51-220	NEW	88-11-011	308-55-105	NEW-P	88-15-043
308-51-230	NEW-P	88-15-043	308-55-115	NEW-P	88-15-043
308-51-240	NEW-P	88-15-043	308-55-200	NEW-P	88-17-103
308-51-250	NEW-P	88-15-043	308-55-200	NEW	88-22-077
308-51-260	NEW-P	88-15-043	308-56A-125	AMD-P	88-11-023
308-51-270	NEW-P	88-15-043	308-56A-125	AMD	88-20-035
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308-51A-010	NEW-P	88-08-088	308-56A-465	AMD	88-23-037
308-51A-010	NEW	88-13-038	308-58-020	AMD-P	88-11-023
308-51A-020	NEW-P	88-08-088	308-58-020	AMD-P	88-19-113
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308-51A-050	NEW-P	88-08-088	308-61-050	REP-E	88-04-026
308-51A-050	NEW	88-13-038	308-61-050	REP	88-06-025
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308-51A-060	NEW-P	88-13-038	308-61-108	AMD	88-06-025
308-51A-060	NEW	88-13-038	308-61-108	AMD	88-06-025

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-91-040	AMD	88-06-061	308-115-350	NEW-P	88-15-043
308-91-050	AMD-E	88-03-030	308-115-500	NEW-P	88-17-103
308-91-050	AMD-P	88-03-067	308-115-500	NEW	88-22-077
308-91-050	AMD	88-06-061	308-117-010	AMD-P	88-21-024
308-91-060	AMD-E	88-03-030	308-117-010	AMD	88-24-017
308-91-060	AMD-P	88-03-067	308-117-030	AMD-P	88-04-077
308-91-060	AMD	88-06-061	308-117-030	AMD	88-08-034
308-91-070	AMD-E	88-03-030	308-117-030	AMD-P	88-13-094
308-91-070	AMD-P	88-03-067	308-117-030	AMD	88-18-005
308-91-070	AMD	88-06-061	308-117-030	AMD-P	88-21-024
308-91-080	AMD-E	88-03-030	308-117-030	AMD	88-24-017
308-91-080	AMD-P	88-03-067	308-117-040	AMD-P	88-13-094
308-91-080	AMD	88-06-061	308-117-040	AMD	88-18-005
308-91-090	AMD-E	88-03-030	308-117-050	AMD-P	88-13-094
308-91-090	AMD-P	88-03-067	308-117-050	AMD	88-18-005
308-91-090	AMD	88-06-061	308-117-060	AMD-P	88-21-024
308-91-100	REP-E	88-03-030	308-117-060	AMD	88-24-017
308-91-100	REP-P	88-03-067	308-117-080	AMD	88-05-011
308-91-100	REP	88-06-061	308-117-090	AMD-P	88-13-094
308-91-110	REP-E	88-03-030	308-117-090	AMD	88-18-005
308-91-110	REP-P	88-03-067	308-117-090	AMD-P	88-21-024
308-91-110	REP	88-06-061	308-117-090	AMD	88-24-017
308-91-120	NEW-E	88-03-030	308-117-095	NEW-P	88-13-094
308-91-120	NEW-P	88-03-067	308-117-095	NEW	88-18-005
308-91-120	NEW	88-06-061	308-117-100	AMD-P	88-13-094
308-91-130	NEW-E	88-03-030	308-117-100	AMD	88-18-005
308-91-130	NEW-P	88-03-067	308-117-100	AMD-P	88-21-024
308-91-130	NEW	88-06-061	308-117-100	AMD	88-24-017
308-91-140	NEW-E	88-03-030	308-117-105	NEW-P	88-13-094
308-91-140	NEW-P	88-03-067	308-117-105	NEW	88-18-005
308-91-140	NEW	88-06-061	308-117-360	NEW-P	88-21-024
308-91-150	NEW-E	88-03-030	308-117-360	NEW	88-24-017
308-91-150	NEW-P	88-03-067	308-117-410	NEW-P	88-13-094
308-91-150	NEW	88-06-061	308-117-410	NEW	88-18-005
308-91-160	NEW-E	88-03-030	308-117-420	NEW-P	88-13-094
308-91-160	NEW-P	88-03-067	308-117-420	NEW	88-18-005
308-91-160	NEW	88-06-061	308-117-500	AMD-P	88-15-039
308-91-170	NEW-E	88-03-030	308-117-500	AMD-E	88-15-042
308-91-170	NEW-P	88-03-067	308-117-500	AMD-P	88-16-099
308-91-170	NEW	88-06-061	308-117-500	AMD-E	88-16-105
308-93-087	NEW-P	88-19-118	308-117-500	AMD	88-20-075
308-93-087	NEW	88-24-003	308-120-100	AMD-P	88-12-042
308-96A-065	AMD-P	88-07-116	308-120-100	AMD	88-16-034
308-96A-065	AMD	88-12-043	308-120-100	AMD-P	88-19-116
308-96A-066	NEW-P	88-07-116	308-120-100	AMD	88-23-035
308-96A-450	NEW-E	88-14-038	308-120-161	AMD-P	88-19-116
308-96A-450	NEW-P	88-14-111	308-120-161	AMD	88-23-035
308-96A-450	NEW	88-19-017	308-120-163	AMD-P	88-12-042
308-96A-460	NEW-E	88-14-038	308-120-163	AMD	88-16-034
308-96A-460	NEW-P	88-14-111	308-120-164	AMD-P	88-12-042
308-96A-460	NEW	88-19-017	308-120-164	AMD	88-16-034
308-96A-470	NEW-E	88-14-038	308-120-166	AMD-P	88-19-116
308-96A-470	NEW-P	88-14-111	308-120-166	AMD	88-23-035
308-96A-470	NEW	88-19-017	308-120-168	AMD-P	88-19-116
308-96A-480	NEW-E	88-14-038	308-120-168	AMD	88-23-035
308-96A-480	NEW-P	88-14-111	308-120-170	AMD-P	88-12-042
308-96A-480	NEW	88-19-017	308-120-170	AMD	88-16-034
308-96A-490	NEW-P	88-19-119	308-120-180	AMD-P	88-12-042
308-96A-490	NEW	88-23-016	308-120-180	AMD	88-16-034
308-115-065	NEW-P	88-17-051	308-120-180	AMD-P	88-19-116
308-115-220	NEW-P	88-08-035	308-120-180	AMD	88-23-035
308-115-220	NEW	88-12-040	308-120-185	AMD-P	88-12-042
308-115-220	AMD-P	88-17-051	308-120-185	AMD	88-16-034
308-115-230	NEW-P	88-08-035	308-120-186	AMD	88-05-010
308-115-230	NEW	88-12-040	308-120-275	AMD-P	88-15-039
308-115-240	NEW-P	88-08-035	308-120-275	AMD-E	88-15-042
308-115-240	NEW	88-12-040	308-120-275	AMD-P	88-16-099
308-115-250	NEW-P	88-08-035	308-120-275	AMD-E	88-16-105
308-115-250	NEW	88-12-040	308-120-275	AMD	88-20-075
308-115-260	NEW-P	88-15-043	308-120-335	AMD	88-07-049
308-115-270	NEW-P	88-15-043	308-120-338	NEW-P	88-12-042
308-115-280	NEW-P	88-15-043	308-120-338	NEW	88-16-034
308-115-290	NEW-P	88-15-043	308-120-360	AMD-P	88-12-042
308-115-310	NEW-P	88-15-043	308-120-360	AMD	88-18-082
308-115-320	NEW-P	88-15-043	308-120-505	AMD-P	88-12-042
308-115-330	NEW-P	88-15-043	308-120-505	AMD	88-16-034
308-115-340	NEW-P	88-15-043	308-120-506	AMD-P	88-12-042

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<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>
308-121-050	AMD-P	88-19-117	308-124B-150	NEW	88-06-039
308-121-050	AMD-E	88-20-006	308-124D-040	AMD-P	88-16-097
308-121-050	AMD	88-23-036	308-124D-040	AMD	88-20-037
308-121-055	NEW-P	88-19-117	308-124D-040	AMD-P	88-20-090
308-121-055	NEW-E	88-20-006	308-124D-040	AMD	88-24-058
308-121-055	NEW	88-23-036	308-124D-060	NEW-P	88-20-091
308-121-060	AMD-P	88-19-117	308-124D-060	NEW	88-24-059
308-121-060	AMD-E	88-20-006	308-124D-065	NEW-P	88-20-091
308-121-060	AMD	88-23-036	308-124D-065	NEW	88-24-059
308-121-070	NEW-P	88-15-039	308-124E-011	REP-P	88-02-049
308-121-070	NEW-E	88-15-042	308-124E-011	REP	88-06-040
308-121-070	NEW-P	88-15-098	308-124E-012	NEW-P	88-02-049
308-121-070	NEW-P	88-16-099	308-124E-012	NEW	88-06-040
308-121-070	NEW-E	88-16-105	308-124E-012	AMD-P	88-20-091
308-121-070	NEW-P	88-19-117	308-124E-012	AMD	88-24-059
308-121-070	NEW-E	88-20-006	308-124E-013	NEW-P	88-02-049
308-121-070	NEW	88-23-036	308-124E-013	NEW	88-06-040
308-122-005	NEW-P	88-19-115	308-124E-013	AMD-E	88-10-057
308-122-005	NEW-E	88-21-023	308-124E-013	AMD-P	88-11-089
308-122-005	NEW	88-23-059	308-124E-013	AMD-P	88-16-097
308-122-006	NEW-P	88-19-115	308-124E-013	AMD	88-16-102
308-122-006	NEW-E	88-21-023	308-124E-013	AMD-E	88-17-003
308-122-006	NEW	88-23-059	308-124E-013	AMD	88-20-037
308-122-200	AMD-P	88-06-007	308-124E-014	NEW-P	88-02-049
308-122-200	AMD	88-09-029	308-124E-014	NEW	88-06-040
308-122-215	AMD-P	88-06-007	308-124H-030	AMD-P	88-20-091
308-122-215	AMD	88-09-029	308-124H-030	AMD	88-24-059
308-122-235	NEW-P	88-06-007	308-124H-033	NEW-P	88-20-091
308-122-235	NEW	88-09-029	308-124H-033	NEW	88-24-059
308-122-280	NEW-P	88-19-115	308-124H-035	AMD-P	88-20-091
308-122-280	NEW-E	88-21-023	308-124H-035	AMD	88-24-059
308-122-280	NEW	88-23-059	308-127-150	REP	88-15-017
308-122-350	AMD-P	88-19-115	308-127-155	NEW	88-15-017
308-122-350	AMD-E	88-21-023	308-128A-010	AMD-P	88-08-087
308-122-350	AMD	88-23-059	308-128A-010	AMD	88-19-016
308-122-640	AMD-P	88-06-007	308-128A-020	AMD-P	88-08-087
308-122-640	AMD	88-09-029	308-128A-020	AMD	88-19-016
308-122-720	NEW-P	88-06-007	308-128A-030	AMD-P	88-08-087
308-122-720	NEW	88-09-029	308-128A-030	AMD	88-19-016
308-124-021	AMD-P	88-20-091	308-128A-040	AMD-P	88-08-087
308-124-021	AMD	88-24-059	308-128A-040	AMD	88-19-016
308-124A-020	AMD-P	88-16-109	308-128B-010	AMD-P	88-08-087
308-124A-020	AMD	88-20-036	308-128B-010	AMD	88-19-016
308-124A-025	AMD-P	88-16-109	308-128B-020	AMD-P	88-08-087
308-124A-025	AMD	88-20-036	308-128B-020	AMD	88-19-016
308-124A-025	AMD-P	88-20-089	308-128B-030	AMD-P	88-08-087
308-124A-025	AMD-E	88-24-031	308-128B-030	AMD	88-19-016
308-124A-100	REP-P	88-16-097	308-128B-040	REP-P	88-08-087
308-124A-100	REP	88-20-037	308-128B-040	REP	88-19-016
308-124A-110	AMD-P	88-16-097	308-128B-050	AMD-P	88-08-087
308-124A-110	AMD	88-20-037	308-128B-050	AMD	88-19-016
308-124A-115	REP-P	88-16-097	308-128B-060	AMD-P	88-08-087
308-124A-115	REP	88-20-037	308-128B-060	AMD	88-19-016
308-124A-120	AMD-P	88-16-109	308-128B-090	NEW-P	88-08-087
308-124A-120	AMD	88-20-036	308-128B-090	NEW	88-19-016
308-124A-130	AMD-P	88-02-051	308-128C-010	REP-P	88-08-087
308-124A-130	AMD	88-06-039	308-128C-010	REP	88-19-016
308-124A-200	AMD-P	88-16-097	308-128C-040	AMD-P	88-08-087
308-124A-200	AMD	88-20-037	308-128C-040	AMD	88-19-016
308-124A-420	AMD-P	88-16-097	308-128C-050	AMD-P	88-08-087
308-124A-420	AMD	88-20-037	308-128C-050	AMD	88-19-016
308-124A-425	NEW-P	88-16-097	308-128D-010	AMD-P	88-08-087
308-124A-425	NEW	88-20-037	308-128D-010	AMD	88-19-016
308-124A-430	AMD-P	88-16-109	308-128D-020	AMD-P	88-08-087
308-124A-430	AMD	88-20-036	308-128D-020	AMD	88-19-016
308-124A-440	AMD-P	88-16-109	308-128D-020	AMD-P	88-18-084
308-124A-440	AMD	88-20-036	308-128D-020	AMD	88-23-049
308-124A-460	AMD-P	88-20-089	308-128D-030	AMD-P	88-08-087
308-124A-460	AMD-E	88-24-031	308-128D-030	AMD	88-19-016
308-124B-010	REP-E	88-02-050	308-128D-040	AMD-P	88-08-087
308-124B-010	REP-P	88-02-051	308-128D-040	AMD-P	88-18-084
308-124B-010	REP	88-06-039	308-128D-040	AMD	88-23-049
308-124B-130	AMD-E	88-02-050	308-128D-060	AMD-P	88-08-087
308-124B-130	AMD-P	88-02-051	308-128D-060	AMD-P	88-18-084
308-124B-130	AMD	88-06-039	308-128D-060	AMD	88-23-049
308-124B-150	NEW-E	88-02-050	308-128D-070	AMD-P	88-08-087
308-124B-150	NEW-P	88-02-051	308-128D-070	AMD	88-19-016
308-124B-150	NEW-P	88-02-051	308-128D-070	AMD	88-11-027

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
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308-140-020	REP-P	88-11-027	308-177-080	NEW-P	88-15-043
308-140-020	REP	88-15-031	308-177-090	NEW-P	88-15-043
308-140-030	REP-P	88-11-027	308-177-100	NEW-P	88-17-103
308-140-030	REP	88-15-031	308-177-100	NEW	88-22-077
308-140-040	REP-P	88-11-027	308-177-110	NEW-P	88-23-104
308-140-040	REP	88-15-031	308-177-120	NEW-P	88-23-104
308-140-070	REP-P	88-11-027	308-177-130	NEW-P	88-23-104
308-140-070	REP	88-15-031	308-177-140	NEW-P	88-23-104
308-140-100	REP-P	88-11-027	308-177-150	NEW-P	88-23-104
308-140-100	REP	88-15-031	308-180-120	AMD-P	88-02-061
308-140-250	REP-P	88-11-027	308-180-120	AMD	88-07-031
308-140-250	REP	88-15-031	308-180-210	AMD-P	88-02-061
308-140-270	REP-P	88-11-027	308-180-210	AMD	88-07-031
308-140-270	REP	88-15-031	308-180-220	AMD-P	88-02-061
308-140-300	REP-P	88-11-027	308-180-220	AMD	88-07-031
308-140-300	REP	88-15-031	308-180-250	AMD-P	88-02-061
308-150-013	AMD-P	88-05-041	308-180-250	AMD	88-07-031
308-150-013	AMD	88-08-033	308-180-260	AMD-P	88-11-026
308-150-014	AMD-P	88-21-080	308-180-260	AMD	88-15-030
308-151-080	AMD-P	88-05-041	308-180-270	NEW-P	88-02-061
308-151-080	AMD	88-08-033	308-180-270	NEW	88-07-031
308-151-090	AMD-P	88-05-041	308-180-280	NEW-P	88-02-061
308-151-090	AMD	88-08-033	308-180-280	NEW	88-07-031
308-153-010	AMD-P	88-21-080	308-180-290	NEW-P	88-15-043
308-153-020	AMD-P	88-05-041	308-180-300	NEW-P	88-15-043
308-153-020	AMD	88-08-033	308-180-310	NEW-P	88-15-043
308-153-030	AMD-P	88-05-041	308-180-320	NEW-P	88-15-043
308-153-030	AMD	88-08-033	308-180-330	NEW-P	88-15-043
308-153-030	AMD-P	88-21-080	308-180-340	NEW-P	88-15-043
308-153-045	AMD-P	88-21-080	308-180-350	NEW-P	88-15-043
308-154-085	NEW-P	88-21-080	308-180-360	NEW-P	88-15-043
308-156-060	AMD-P	88-05-041	308-180-370	NEW-P	88-15-043
308-156-060	AMD	88-08-033	308-180-400	NEW-P	88-17-103
308-156-090	AMD-P	88-05-041	308-180-400	NEW	88-22-077
308-156-090	AMD	88-08-033	308-183-010	NEW-P	88-15-043
308-156-100	AMD-P	88-05-041	308-183-020	NEW-P	88-15-043
308-156-100	AMD	88-08-033	308-183-030	NEW-P	88-15-043
308-156-200	NEW-P	88-21-080	308-183-040	NEW-P	88-15-043
308-157-010	NEW-P	88-21-080	308-183-050	NEW-P	88-15-043
308-171-010	AMD-P	88-05-061	308-183-060	NEW-P	88-15-043
308-171-010	AMD	88-09-031	308-183-070	NEW-P	88-15-043
308-171-010	AMD-P	88-22-073	308-183-080	NEW-P	88-15-043
308-171-010	AMD	89-01-081	308-183-090	NEW-P	88-16-071
308-171-020	AMD-P	88-05-061	308-183-090	NEW-P	88-21-079
308-171-020	AMD	88-09-031	308-183-090	NEW	89-01-015
308-171-020	AMD-P	88-22-073	308-183-100	NEW-P	88-16-071
308-171-020	AMD	89-01-081	308-183-100	NEW-P	88-21-079
308-171-040	AMD-P	88-22-073	308-183-100	NEW	89-01-015
308-171-040	AMD	89-01-081	308-183-110	NEW-P	88-16-071
308-171-103	AMD-P	88-09-048	308-183-110	NEW-P	88-21-079
308-171-320	NEW-P	88-22-073	308-183-110	NEW	89-01-015
308-171-320	NEW	89-01-081	308-183-120	NEW-P	88-16-071
308-171-330	NEW-P	88-22-073	308-183-120	NEW-P	88-21-079
308-171-330	NEW	89-01-081	308-183-120	NEW	89-01-015
308-173-010	NEW-P	88-15-043	308-183-130	NEW-P	88-16-071
308-173-020	NEW-P	88-15-043	308-183-130	NEW-P	88-21-079
308-173-030	NEW-P	88-15-043	308-183-130	NEW	89-01-015
308-173-040	NEW-P	88-15-043	308-183-140	NEW-P	88-16-071
308-173-050	NEW-P	88-15-043	308-183-140	NEW-P	88-21-079
308-173-060	NEW-P	88-15-043	308-183-140	NEW	89-01-015
308-173-070	NEW-P	88-15-043	308-183-150	NEW-P	88-16-071
308-173-080	NEW-P	88-15-043	308-183-150	NEW-P	88-21-079
308-173-090	NEW-P	88-15-043	308-183-150	NEW	89-01-015
308-173-100	NEW-P	88-17-103	308-183-160	NEW-P	88-16-071
308-173-100	NEW	88-22-077	308-183-160	NEW-P	88-21-079
308-173-130	NEW	88-20-075	308-183-160	NEW	89-01-015
308-175-080	REP-P	88-14-094	308-183-170	NEW-P	88-16-071
308-175-080	REP	88-17-043	308-183-170	NEW-P	88-21-079
308-175-200	NEW-P	88-17-102	308-183-170	NEW	89-01-015
308-175-200	NEW	88-22-076	308-183-180	NEW-P	88-16-071
308-177-010	NEW-P	88-15-043	308-183-180	NEW-P	88-21-079
308-177-020	NEW-P	88-15-043	308-183-180	NEW	89-01-015
308-177-030	NEW-P	88-15-043	308-183-190	NEW-P	88-21-079
308-177-040	NEW-P	88-15-043	308-183-190	NEW	89-01-015
308-177-050	NEW-P	88-15-043	308-183-200	NEW-P	88-17-103
308-177-060	NEW-P	88-15-043	308-183-200	NEW	88-22-077

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-220-010	AMD-W	88-23-090	308-400-040	AMD-P	88-23-121
308-220-010	AMD-P	88-23-091	308-400-044	REP-E	88-14-044
308-220-020	NEW-P	88-05-062	308-400-044	REP-P	88-14-045
308-220-020	NEW	88-11-079	308-400-044	REP-E	88-20-025
308-220-030	NEW-P	88-05-062	308-400-044	REP-P	88-23-121
308-220-030	NEW	88-11-079	308-400-046	AMD-P	88-23-121
308-220-030	AMD-P	88-22-074	308-400-047	AMD-E	88-14-044
308-220-030	AMD-P	88-23-091	308-400-047	AMD-P	88-14-045
308-220-030	AMD-W	88-23-090	308-400-047	AMD-E	88-20-025
308-220-040	NEW-P	88-05-062	308-400-047	AMD-P	88-23-121
308-220-040	NEW	88-11-079	308-400-048	AMD-E	88-14-044
308-220-050	NEW-P	88-05-062	308-400-048	AMD-P	88-14-045
308-220-050	NEW	88-11-079	308-400-048	AMD-E	88-20-025
308-220-060	NEW	88-11-079	308-400-048	AMD-P	88-23-121
308-220-070	NEW-P	88-05-062	308-400-050	REP-E	88-14-044
308-220-070	NEW	88-11-079	308-400-050	REP-P	88-14-045
308-220-080	NEW-P	88-05-062	308-400-050	REP-E	88-20-025
308-220-090	NEW-P	88-15-043	308-400-050	AMD-P	88-23-121
308-220-100	NEW-P	88-15-043	308-400-052	AMD-E	88-14-044
308-220-110	NEW-P	88-15-043	308-400-052	AMD-P	88-14-045
308-220-120	NEW-P	88-15-043	308-400-052	AMD-E	88-20-025
308-220-130	NEW-P	88-15-043	308-400-052	AMD-P	88-23-121
308-220-140	NEW-P	88-15-043	308-400-058	AMD-E	88-14-044
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308-220-200	NEW-P	88-17-103	308-400-059	AMD-E	88-14-044
308-220-200	NEW	88-22-077	308-400-059	AMD-P	88-14-045
308-230-010	NEW-P	88-05-063	308-400-059	AMD-E	88-20-025
308-230-010	NEW	88-11-078	308-400-059	AMD-P	88-23-121
308-230-020	NEW-P	88-05-063	308-400-080	REP-E	88-14-044
308-230-020	NEW	88-11-078	308-400-080	REP-P	88-14-045
308-230-030	NEW-P	88-05-063	308-400-080	REP-E	88-20-025
308-230-030	NEW	88-11-078	308-400-095	AMD-E	88-14-044
308-230-040	NEW-P	88-05-063	308-400-095	AMD-P	88-14-045
308-230-040	NEW	88-11-078	308-400-095	AMD-E	88-20-025
308-230-050	NEW-P	88-05-063	308-400-095	AMD-P	88-23-121
308-230-050	NEW	88-11-078	308-400-100	AMD-P	88-23-121
308-230-060	NEW-P	88-15-043	308-400-120	NEW-E	88-14-044
308-230-070	NEW-P	88-15-043	308-400-120	NEW-P	88-14-045
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308-310-010	NEW-P	88-16-032	314-08-080	AMD-P	88-06-056
308-310-010	NEW-E	88-16-033	314-08-080	AMD	88-08-057
308-310-010	NEW-E	88-16-106	314-12-037	NEW-P	88-05-012
308-310-010	NEW	88-20-076	314-12-037	NEW-P	88-13-003
308-310-020	NEW-P	88-18-080	314-12-038	NEW-P	88-06-054
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308-400-010	AMD-P	88-14-045	314-12-145	AMD-C	88-09-061
308-400-010	AMD-E	88-20-025	314-12-145	AMD	88-10-049
308-400-010	AMD-P	88-23-121	314-12-170	AMD-P	88-14-036
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308-400-020	AMD-E	88-20-025	314-12-175	NEW-C	88-20-084
308-400-020	AMD-P	88-23-121	314-16-040	AMD-P	88-21-069
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308-400-025	REP-E	88-20-025	314-16-070	AMD	88-20-086
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315-11-330	NEW-P	88-09-069	326-02-080	NEW-C	88-18-006
315-11-330	NEW	88-13-008	326-02-080	NEW	88-22-017
315-11-331	NEW-P	88-09-069	326-02-090	NEW-P	88-14-129
315-11-331	NEW	88-13-008	326-02-090	NEW-C	88-18-006
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315-11-332	NEW	88-13-008	326-20-080	AMD-P	88-09-060
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315-11-341	NEW-P	88-13-122	326-20-090	REP	88-06-030
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315-11-351	NEW-P	88-13-122	326-20-092	NEW-P	88-06-074
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315-11-370	NEW-P	88-17-116	326-20-094	NEW	88-09-047
315-11-370	NEW	88-21-051	326-20-095	NEW-E	88-06-043
315-11-371	NEW-P	88-17-116	326-20-095	NEW-P	88-06-074
315-11-371	NEW	88-21-051	326-20-095	NEW-C	88-09-010
315-11-372	NEW-P	88-17-116	326-20-095	NEW	88-09-047
315-11-372	NEW	88-21-051	326-20-096	NEW-E	88-06-043
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315-11-380	NEW	89-01-022	326-20-096	NEW-C	88-09-010
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316-02-820	AMD-P	88-06-057	326-20-173	NEW	88-22-017
316-02-820	AMD	88-10-019	326-20-180	AMD-P	88-06-074
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316-45-110	AMD	88-10-019	326-20-180	AMD	88-09-047
316-45-550	AMD-P	88-06-057	326-20-185	AMD-P	88-06-074
316-45-550	AMD	88-10-019	326-20-185	AMD-C	88-09-010
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352-12-020	AMD-P	88-04-075	356-05-456	NEW-C	88-15-059
352-12-020	AMD	88-07-074	356-05-456	NEW-C	88-18-009
352-32-035	AMD-P	88-04-075	356-05-456	NEW-P	88-22-066
352-32-035	AMD	88-07-074	356-05-460	REP-C	88-07-044
352-32-045	AMD-P	88-04-075	356-05-460	REP-P	88-10-030
352-32-045	AMD	88-07-074	356-05-460	REP-C	88-13-056
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352-32-15001	NEW	88-10-017	356-05-461	NEW-C	88-15-059
352-32-250	AMD-P	88-04-075	356-05-461	NEW-C	88-18-009
352-32-250	AMD	88-07-074	356-05-461	NEW-P	88-22-066
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352-32-252	AMD-P	88-16-089	356-10-030	AMD-C	88-13-055
352-32-252	AMD	88-19-087	356-10-030	AMD	88-15-060
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352-32-285	AMD	88-15-068	356-10-050	AMD-C	88-13-055
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356-05-451	NEW-C	88-18-009	356-18-040	AMD-P	88-24-040
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356-42-043	AMD-C	88-07-044	360-08-005	NEW-P	88-03-036
356-42-043	AMD-P	88-10-029	360-08-005	NEW	88-06-026
356-42-043	AMD-P	88-10-030	360-08-030	REP-P	88-03-036
356-42-043	AMD-C	88-13-056	360-08-030	REP	88-06-026
356-42-043	AMD-C	88-13-054	360-08-070	REP-P	88-03-036
356-42-043	AMD-C	88-15-058	360-08-070	REP	88-06-026
356-42-043	AMD-C	88-15-059	360-08-080	REP-P	88-03-036
356-42-043	AMD-C	88-18-009	360-08-080	REP	88-06-026
356-42-043	AMD	88-18-010	360-08-090	REP-P	88-03-036
356-42-043	AMD-P	88-22-066	360-08-090	REP	88-06-026
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356-42-045	AMD-P	88-10-030	360-08-110	REP	88-06-026
356-42-045	AMD-C	88-13-056	360-08-120	REP-P	88-03-036
356-42-045	AMD-C	88-13-054	360-08-120	REP	88-06-026
356-42-045	AMD-C	88-13-054	360-08-130	REP-P	88-03-036
356-42-045	AMD-C	88-15-058	360-08-130	REP	88-06-026
356-42-045	AMD-C	88-15-059	360-08-130	REP	88-06-026
356-42-045	AMD-C	88-18-009	360-08-140	REP-P	88-03-036
356-42-045	AMD	88-18-010	360-08-140	REP	88-06-026
356-42-045	AMD-P	88-22-066	360-08-410	REP-P	88-03-036
356-42-047	AMD-C	88-07-044	360-08-410	REP	88-06-026
356-42-047	AMD-P	88-10-030	360-08-430	REP-P	88-03-036
356-42-047	AMD-C	88-13-056	360-08-430	REP	88-06-026
356-42-047	AMD-C	88-15-059	360-08-440	REP-P	88-03-036
356-42-047	AMD-P	88-22-066	360-08-440	REP	88-06-026
356-42-047	AMD-C	88-07-044	360-08-440	REP-P	88-03-036
356-42-047	AMD-P	88-10-030	360-08-470	REP-P	88-03-036
356-42-047	AMD-C	88-13-056	360-08-470	REP	88-06-026
356-42-047	AMD-C	88-15-059	360-08-440	REP-P	88-03-036
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356-42-049	NEW-C	88-15-058	360-08-460	REP	88-06-026
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356-42-050	AMD-P	88-10-030	360-08-480	REP-P	88-03-036
356-42-050	AMD-C	88-13-056	360-08-480	REP	88-06-026
356-42-050	AMD-C	88-15-059	360-08-490	REP-P	88-03-036
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356-42-070	AMD-C	88-13-056	360-16-094	NEW	88-23-058
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356-42-070	AMD-C	88-13-056	360-16-094	NEW	88-23-058
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388-40-100	AMD-E	88-10-045	388-49-550	AMD-E	88-20-045
388-40-100	AMD	88-13-110	388-49-550	AMD-P	88-20-048
388-40-100	AMD-P	88-21-037	388-49-550	AMD	88-23-082
388-40-100	AMD-E	88-21-040	388-49-600	AMD-P	88-21-090
388-40-100	AMD	89-01-093	388-49-610	AMD-P	88-12-092
388-40-110	NEW-P	88-07-053	388-49-610	AMD	88-16-080
388-40-110	NEW-E	88-07-054	388-49-620	AMD-P	88-12-092
388-40-110	NEW-W	88-08-001	388-49-620	AMD	88-16-080
388-40-110	NEW-P	88-10-042	388-49-640	AMD-P	88-04-088
388-40-110	NEW-E	88-10-045	388-49-640	AMD	88-08-039
388-40-110	NEW	88-13-110	388-49-660	AMD-P	88-04-046
388-40-110	AMD-P	88-19-027	388-49-660	AMD	88-08-040
388-40-110	AMD	88-23-020	388-55-010	AMD-P	88-19-091
388-42-150	AMD-P	88-15-009	388-55-010	AMD-E	88-19-093
388-42-150	AMD	88-18-023	388-55-010	AMD-P	88-23-018
388-42-150	AMD-E	88-18-055	388-55-010	AMD-E	88-23-019
388-44-035	AMD-P	88-16-053	388-55-020	AMD-P	88-19-091
388-44-035	AMD-E	88-16-061	388-55-020	AMD-E	88-19-093
388-44-035	AMD	88-19-070	388-55-020	AMD-P	88-23-018
388-44-330	NEW-P	88-10-004	388-55-020	AMD-E	88-23-019
388-44-330	NEW	88-13-059	388-55-040	AMD-P	88-19-091
388-49-015	AMD-P	88-15-045	388-55-040	AMD-E	88-19-093
388-49-015	AMD	88-18-058	388-55-040	AMD-P	88-23-018
388-49-020	AMD-P	88-06-079	388-55-040	AMD-E	88-23-019
388-49-020	AMD	88-08-080	388-57-010	REP	88-07-055
388-49-020	AMD-P	88-12-030	388-57-011	NEW	88-07-055
388-49-020	AMD	88-16-081	388-57-015	REP	88-07-055
388-49-190	AMD-P	88-12-030	388-57-020	REP	88-07-055
388-49-190	AMD	88-16-081	388-57-028	REP	88-07-055
388-49-191	NEW-P	88-14-080	388-57-032	REP	88-07-055
388-49-191	NEW-E	88-14-083	388-57-036	REP	88-07-055
388-49-191	NEW	88-18-025	388-57-040	AMD	88-07-055
388-49-191	REP-P	88-22-034	388-57-045	REP	88-07-055
388-49-191	REP-E	88-22-035	388-57-056	REP	88-07-055

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388-77-215	NEW-W 88-08-038	388-77-530	NEW-P 88-04-089	388-77-810	NEW-P 88-09-079
388-77-230	NEW-P 88-09-079	388-77-530	NEW-W 88-08-038	388-77-810	NEW 88-12-093
388-77-230	NEW 88-12-093	388-77-530	NEW-P 88-14-081	388-77-815	NEW-P 88-04-089
388-77-240	NEW-P 88-04-089	388-77-530	NEW-E 88-14-082	388-77-815	NEW-W 88-08-038
388-77-240	NEW-W 88-08-038	388-77-530	NEW 88-18-024	388-77-820	NEW-P 88-04-089
388-77-240	NEW-P 88-09-079	388-77-545	NEW-P 88-04-089	388-77-820	NEW-W 88-08-038
388-77-240	NEW 88-12-093	388-77-545	NEW-W 88-08-038	388-77-820	NEW-P 88-09-079
388-77-245	NEW-P 88-04-089	388-77-550	NEW-P 88-04-089	388-77-820	NEW 88-12-093
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388-77-255	NEW-P 88-04-089	388-77-555	NEW-P 88-04-089	388-77-820	AMD-E 88-14-083
388-77-255	NEW-W 88-08-038	388-77-555	NEW-W 88-08-038	388-77-820	AMD 88-18-025
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388-77-270	NEW-W 88-08-038	388-77-560	NEW-W 88-08-038	388-77-825	NEW-W 88-08-038
388-77-270	NEW-P 88-09-079	388-77-600	NEW-P 88-04-089	388-77-830	NEW-P 88-04-089
388-77-270	NEW 88-12-093	388-77-600	NEW-W 88-08-038	388-77-830	NEW-W 88-08-038
388-77-270	AMD-P 88-14-081	388-77-600	NEW-P 88-09-079	388-77-835	NEW-P 88-04-089
388-77-270	AMD-E 88-14-082	388-77-600	NEW 88-12-093	388-77-835	NEW-W 88-08-038
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388-77-275	NEW-P 88-04-089	388-77-600	AMD-E 88-14-082	388-77-870	NEW-W 88-08-038
388-77-275	NEW-W 88-08-038	388-77-600	AMD 88-18-024	388-77-880	NEW-P 88-04-089
388-77-280	NEW-P 88-04-089	388-77-605	NEW-P 88-04-089	388-77-880	NEW-W 88-08-038
388-77-280	NEW-W 88-08-038	388-77-605	NEW-W 88-08-038	388-77-900	NEW-P 88-04-089
388-77-285	NEW-P 88-04-089	388-77-605	NEW-P 88-09-079	388-77-900	NEW-W 88-08-038
388-77-285	NEW-W 88-08-038	388-77-605	NEW 88-12-093	388-77-900	NEW-P 88-09-079
388-77-285	NEW-P 88-09-079	388-77-610	NEW-P 88-04-089	388-77-900	NEW 88-12-093
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388-77-310	NEW-P 88-04-089	388-77-610	NEW-P 88-09-079	388-77-900	AMD-E 88-14-082
388-77-310	NEW-W 88-08-038	388-77-610	NEW 88-12-093	388-77-900	AMD 88-18-024
388-77-320	NEW-P 88-04-089	388-77-610	AMD-P 88-14-081	388-77-905	NEW-P 88-04-089
388-77-320	NEW-W 88-08-038	388-77-610	AMD-E 88-14-082	388-77-905	NEW-W 88-08-038
388-77-320	NEW-P 88-09-079	388-77-610	AMD 88-18-024	388-77-915	NEW-P 88-04-089
388-77-320	NEW 88-12-093	388-77-610	AMD-P 88-22-034	388-77-915	NEW-W 88-08-038
388-77-330	NEW-P 88-04-089	388-77-610	AMD-E 88-22-035	388-77-920	NEW-P 88-04-089
388-77-330	NEW-W 88-08-038	388-77-615	NEW-P 88-04-089	388-77-920	NEW-W 88-08-038
388-77-335	NEW-P 88-04-089	388-77-615	NEW-W 88-08-038	388-77-925	NEW-P 88-04-089
388-77-335	NEW-W 88-08-038	388-77-615	NEW-P 88-09-079	388-77-925	NEW-W 88-08-038
388-77-340	NEW-P 88-04-089	388-77-615	NEW 88-12-093	388-77-930	NEW-P 88-04-089
388-77-340	NEW-W 88-08-038	388-77-640	NEW-P 88-04-089	388-77-930	NEW-W 88-08-038
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388-77-350	NEW-W 88-08-038	388-77-700	NEW-P 88-04-089	388-77-940	NEW-W 88-08-038
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388-77-355	NEW-W 88-08-038	388-77-710	NEW-P 88-04-089	388-77-945	NEW-W 88-08-038
388-77-360	NEW-P 88-04-089	388-77-710	NEW-W 88-08-038	388-77-975	NEW-P 88-04-089
388-77-360	NEW-W 88-08-038	388-77-720	NEW-P 88-04-089	388-77-975	NEW-W 88-08-038
388-77-365	NEW-P 88-04-089	388-77-720	NEW-W 88-08-038	388-78-005	NEW-P 88-06-078
388-77-365	NEW-W 88-08-038	388-77-725	NEW-P 88-04-089	388-78-005	NEW 88-12-088
388-77-370	NEW-P 88-04-089	388-77-725	NEW-W 88-08-038	388-78-010	NEW-P 88-06-078
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388-77-375	NEW-P 88-04-089	388-77-730	NEW-W 88-08-038	388-78-015	NEW-P 88-06-078
388-77-375	NEW-W 88-08-038	388-77-735	NEW-P 88-04-089	388-78-015	NEW 88-12-088
388-77-500	NEW-P 88-04-089	388-77-735	NEW-W 88-08-038	388-78-020	NEW-P 88-06-078
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388-77-500	NEW-P 88-09-079	388-77-735	NEW 88-12-093	388-78-100	NEW-P 88-06-078
388-77-500	NEW 88-12-093	388-77-737	NEW-P 88-04-089	388-78-100	NEW 88-12-088
388-77-500	AMD-P 88-14-081	388-77-737	NEW-W 88-08-038	388-78-120	NEW-P 88-06-078
388-77-500	AMD-E 88-14-082	388-77-737	NEW-P 88-09-079	388-78-120	NEW 88-12-088
388-77-505	AMD 88-18-024	388-77-737	NEW 88-12-093	388-78-205	NEW-P 88-06-078
388-77-505	NEW-P 88-04-089	388-77-740	NEW-P 88-04-089	388-78-205	NEW 88-12-088
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388-77-510	NEW-P 88-04-089	388-77-745	NEW-P 88-04-089	388-78-210	NEW 88-12-088
388-77-510	NEW-W 88-08-038	388-77-745	NEW-W 88-08-038	388-78-215	NEW-P 88-06-078
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388-77-515	NEW 88-12-093	388-77-755	NEW-W 88-08-038	388-81-043	AMD-P 88-21-038
388-77-515	AMD-P 88-14-081	388-77-760	NEW-P 88-04-089	388-81-047	NEW 88-03-050
388-77-515	AMD-E 88-14-082	388-77-760	NEW-W 88-08-038	388-81-060	AMD-P 88-21-091
388-77-520	NEW-P 88-04-089	388-77-765	NEW-P 88-04-089	388-82-008	NEW-P 88-14-051
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388-77-525	NEW-P 88-09-079	388-77-810	NEW-P 88-04-089	388-82-115	AMD 88-09-037

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388-82-115	AMD	88-17-063	388-87-070	AMD	88-04-048
388-82-115	AMD-P	88-21-053	388-88-050	AMD	88-04-041
388-82-115	AMD-E	88-21-055	388-88-101	AMD	88-04-041
388-82-115	AMD	88-24-024	388-92-045	AMD-P	88-03-072
388-82-140	NEW-P	88-21-091	388-92-045	AMD	88-06-087
388-83-032	AMD-P	88-08-041	388-95-360	AMD-P	88-14-051
388-83-032	AMD-E	88-08-042	388-95-360	AMD-E	88-14-059
388-83-032	AMD	88-11-063	388-95-360	AMD-P	88-19-066
388-83-032	AMD-P	88-16-054	388-95-360	AMD	88-23-022
388-83-032	AMD-E	88-16-060	388-95-380	AMD-P	88-03-072
388-83-032	AMD	88-19-033	388-95-380	AMD	88-06-087
388-83-032	AMD-E	88-20-043	388-95-400	AMD-P	88-14-051
388-83-032	AMD-P	88-20-047	388-95-400	AMD-E	88-14-059
388-83-032	AMD	88-23-084	388-95-400	AMD	88-17-062
388-83-036	AMD-P	88-14-051	388-96-026	AMD-P	88-21-039
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388-83-130	AMD-E	88-14-059	388-96-533	AMD-P	88-21-039
388-83-130	AMD	88-17-062	388-96-533	AMD	89-01-095
388-84-105	AMD-P	88-14-051	388-96-559	AMD-P	88-13-078
388-84-105	AMD-E	88-14-059	388-96-559	AMD-E	88-13-079
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388-85-105	AMD	88-17-062	388-96-585	AMD-P	88-21-039
388-86-005	AMD-P	88-03-021	388-96-585	AMD	89-01-095
388-86-005	AMD	88-06-083	388-96-722	AMD-P	88-21-039
388-86-009	AMD-P	88-09-078	388-96-722	AMD	89-01-095
388-86-009	AMD	88-12-089	388-96-754	AMD-P	88-21-039
388-86-021	AMD-P	88-11-043	388-96-754	AMD	89-01-095
388-86-021	AMD-E	88-11-044	388-96-763	AMD-P	88-21-039
388-86-021	AMD	88-15-010	388-96-763	AMD	89-01-095
388-86-040	AMD-P	88-16-055	388-96-771	NEW-E	88-03-052
388-86-040	AMD	88-19-030	388-96-771	NEW-P	88-03-053
388-86-050	AMD	88-04-048	388-96-771	NEW	88-06-085
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388-86-050	AMD	88-15-010	388-96-807	AMD-P	88-21-039
388-86-051	NEW	88-04-048	388-96-807	AMD	89-01-095
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388-86-085	AMD-P	88-03-021	388-98-005	NEW-P	88-03-054
388-86-085	AMD	88-06-083	388-98-005	NEW	88-06-086
388-86-085	AMD-P	88-16-056	388-98-010	NEW-E	88-03-051
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388-86-086	NEW	88-06-083	388-98-015	NEW-P	88-03-054
388-86-090	AMD-P	88-21-054	388-98-015	NEW	88-06-086
388-86-090	AMD-E	88-21-056	388-98-020	NEW-E	88-03-051
388-86-095	AMD-P	88-11-043	388-98-020	NEW-P	88-03-054
388-86-095	AMD-E	88-11-044	388-98-020	NEW	88-06-086
388-86-095	AMD	88-15-010	388-99-010	AMD-P	88-06-077
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388-86-09601	AMD-E	88-11-044	388-99-010	AMD-P	88-19-067
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388-86-098	AMD-P	88-11-043	388-99-010	AMD	88-23-023
388-86-098	AMD-E	88-11-044	388-99-011	AMD-P	88-20-079
388-86-098	AMD	88-15-010	388-99-011	AMD-E	88-19-067
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388-87-011	AMD-P	88-08-060	388-99-030	AMD	88-24-025
388-87-011	AMD	88-11-061	388-99-040	AMD-P	88-20-079
388-87-013	AMD	88-04-048	388-99-040	AMD-E	88-20-080
388-87-027	AMD-P	88-03-021	388-99-040	AMD	88-23-081
388-87-027	AMD	88-06-083	390-05-210	AMD-P	88-11-064
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391-95-010	AMD	88-12-058	392-121-257	NEW	88-03-013
391-95-030	AMD-P	88-07-085	392-121-260	NEW	88-03-013
391-95-030	AMD	88-12-058	392-121-260	AMD-E	88-14-046
391-95-230	AMD-P	88-07-085	392-121-260	AMD-P	88-19-077
391-95-230	AMD	88-12-058	392-121-260	AMD	88-22-064
392-103-035	AMD-P	88-19-095	392-121-265	NEW	88-03-013
392-103-035	AMD-C	88-22-063	392-121-267	NEW	88-03-013
392-103-035	AMD	88-23-011	392-121-268	NEW	88-03-013
392-120-001	NEW-P	88-13-075	392-121-270	NEW	88-03-013
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392-121-033	NEW	88-03-013	392-121-460	NEW	88-03-013
392-121-101	REP	88-03-013	392-126-003	NEW	88-03-003
392-121-103	REP	88-03-013	392-127-003	NEW	88-03-004
392-121-105	REP	88-03-013	392-130-005	NEW	88-04-001
392-121-106	NEW	88-03-013	392-130-010	NEW	88-04-001
392-121-107	NEW	88-03-013	392-130-015	NEW	88-04-001
392-121-108	NEW	88-03-013	392-130-020	NEW	88-04-001
392-121-110	REP	88-03-013	392-130-025	NEW	88-04-001
392-121-111	NEW	88-03-013	392-130-030	NEW	88-04-001
392-121-115	REP	88-03-013	392-130-035	NEW	88-04-001
392-121-120	REP	88-03-013	392-130-040	NEW	88-04-001
392-121-121	REP	88-03-013	392-130-045	NEW	88-04-001
392-121-122	NEW	88-03-013	392-130-050	NEW	88-04-001
392-121-123	NEW	88-03-013	392-130-055	NEW	88-04-001
392-121-125	REP	88-03-013	392-130-060	NEW	88-04-001
392-121-126	REP	88-03-013	392-130-065	NEW	88-04-001
392-121-127	REP	88-03-013	392-130-070	NEW	88-04-001
392-121-128	REP	88-03-013	392-130-075	NEW	88-04-001
392-121-129	REP	88-03-013	392-130-080	NEW	88-04-001
392-121-130	REP	88-03-013	392-130-085	NEW	88-04-001
392-121-131	REP	88-03-013	392-130-090	NEW	88-04-001
392-121-133	NEW	88-03-013	392-130-095	NEW	88-04-001
392-121-135	REP	88-03-013	392-130-100	NEW	88-04-001
392-121-136	NEW	88-03-013	392-130-105	NEW	88-04-001
392-121-140	REP	88-03-013	392-130-110	NEW	88-04-001
392-121-145	REP	88-03-013	392-130-115	NEW	88-04-001
392-121-150	REP	88-03-013	392-130-120	NEW	88-04-001
392-121-155	REP	88-03-013	392-130-125	NEW	88-04-001
392-121-160	REP	88-03-013	392-130-130	NEW	88-04-001
392-121-161	NEW	88-03-013	392-130-135	NEW	88-04-001
392-121-165	REP	88-03-013	392-130-140	NEW	88-04-001
392-121-170	REP	88-03-013	392-130-145	NEW	88-04-001
392-121-175	REP	88-03-013	392-130-150	NEW	88-04-001
392-121-176	REP	88-03-013	392-130-155	NEW	88-04-001
392-121-177	REP	88-03-013	392-130-160	NEW	88-04-001
392-121-180	REP	88-03-013	392-130-165	NEW	88-04-001
392-121-181	NEW	88-03-013	392-130-170	NEW	88-04-001
392-121-182	NEW	88-03-013	392-130-175	NEW	88-04-001
392-121-183	NEW	88-03-013	392-130-180	NEW	88-04-001
392-121-185	REP	88-03-013	392-130-185	NEW	88-04-001
392-121-186	REP	88-03-013	392-130-190	NEW	88-04-001
392-121-190	REP	88-03-013	392-130-195	NEW	88-04-001
392-121-195	REP	88-03-013	392-130-200	NEW	88-04-001
392-121-200	NEW	88-03-013	392-130-205	NEW	88-04-001
392-121-205	NEW	88-03-013	392-139-001	AMD	88-03-007
392-121-210	NEW	88-03-013	392-139-005	AMD	88-03-007
392-121-215	NEW	88-03-013	392-139-007	NEW	88-03-007
392-121-220	NEW	88-03-013	392-139-010	REP	88-03-007
392-121-225	NEW	88-03-013	392-139-016	REP	88-03-007
392-121-245	NEW	88-03-013	392-139-017	REP	88-03-007

### **Table of WAC Sections Affected**

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
392-168-140	NEW	88-09-042	392-220-035	NEW-E	88-03-012
392-168-145	NEW-P	88-06-094	392-220-040	NEW-P	88-03-011
392-168-145	NEW	88-09-042	392-220-040	NEW-E	88-03-012
392-168-150	NEW-P	88-06-094	392-220-045	NEW-P	88-03-011
392-168-150	NEW	88-09-042	392-220-045	NEW-E	88-03-012
392-168-155	NEW-P	88-06-094	392-220-050	NEW-P	88-03-011
392-168-155	NEW	88-09-042	392-220-050	NEW-E	88-03-012
392-168-160	NEW-P	88-06-094	392-220-055	NEW-P	88-03-011
392-168-160	NEW	88-09-042	392-220-055	NEW-E	88-03-012
392-168-165	NEW-P	88-06-094	392-220-060	NEW-P	88-03-011
392-168-165	NEW	88-09-042	392-220-060	NEW-E	88-03-012
392-168-170	NEW-P	88-06-094	392-220-065	NEW-P	88-03-011
392-168-170	NEW	88-09-042	392-220-065	NEW-E	88-03-012
392-168-175	NEW-P	88-06-094	392-220-070	NEW-P	88-03-011
392-168-175	NEW	88-09-042	392-220-070	NEW-E	88-03-012
392-168-180	NEW-P	88-06-094	392-220-075	NEW-P	88-03-011
392-168-180	NEW	88-09-042	392-220-075	NEW-E	88-03-012
392-168-185	NEW-P	88-06-094	392-220-080	NEW-P	88-03-011
392-168-185	NEW	88-09-042	392-220-080	NEW-E	88-03-012
392-168-190	NEW-P	88-06-094	392-220-085	NEW-P	88-03-011
392-168-190	NEW	88-09-042	392-220-085	NEW-E	88-03-012
392-171-761	REP-P	88-07-112	392-220-090	NEW-P	88-03-011
392-171-761	AMD-P	88-12-016	392-220-090	NEW-E	88-03-012
392-171-761	AMD	88-15-020	392-220-095	NEW-P	88-03-011
392-171-766	REP-P	88-07-112	392-220-095	NEW-E	88-03-012
392-171-766	REP	88-12-017	392-220-100	NEW-P	88-03-011
392-171-771	REP-P	88-07-112	392-220-100	NEW-E	88-03-012
392-171-771	REP	88-12-017	392-220-105	NEW-P	88-03-011
392-171-776	REP-P	88-07-112	392-220-105	NEW-E	88-03-012
392-171-776	REP	88-12-017	392-220-110	NEW-P	88-03-011
392-171-781	REP-P	88-07-112	392-220-110	NEW-E	88-03-012
392-171-781	REP	88-12-017	392-220-115	NEW-P	88-03-011
392-195-010	AMD	88-03-006	392-220-115	NEW-E	88-03-012
392-195-015	AMD	88-03-006	392-220-120	NEW-P	88-03-011
392-196-020	AMD-P	88-15-026	392-220-120	NEW-E	88-03-012
392-196-020	AMD-E	88-15-027	392-220-125	NEW-P	88-03-011
392-196-020	AMD	88-18-038	392-220-125	NEW-E	88-03-012
392-196-045	AMD-P	88-15-026	392-220-130	NEW-P	88-03-011
392-196-045	AMD-E	88-15-027	392-220-130	NEW-E	88-03-012
392-196-045	AMD	88-18-038	392-220-135	NEW-P	88-03-011
392-196-050	AMD-P	88-15-026	392-220-135	NEW-E	88-03-012
392-196-050	AMD-E	88-15-027	392-220-140	NEW-P	88-03-011
392-196-050	AMD	88-18-038	392-220-140	NEW-E	88-03-012
392-196-052	AMD-P	88-15-026	392-220-145	NEW-P	88-03-011
392-196-052	AMD-E	88-15-027	392-220-145	NEW-E	88-03-012
392-196-052	AMD	88-18-038	392-220-150	NEW-P	88-03-011
392-196-055	AMD-P	88-15-026	392-220-150	NEW-E	88-03-012
392-196-055	AMD-E	88-15-027	392-220-155	NEW-P	88-03-011
392-196-055	AMD	88-18-038	392-220-155	NEW-E	88-03-012
392-196-060	AMD-P	88-15-026	392-310-010	NEW-P	88-03-073
392-196-060	AMD-E	88-15-027	392-310-010	NEW-E	88-04-002
392-196-060	AMD	88-18-038	392-310-010	NEW	88-06-042
392-196-070	AMD-P	88-15-026	392-310-015	NEW-P	88-03-073
392-196-070	AMD-E	88-15-027	392-310-015	NEW-E	88-04-002
392-196-070	AMD	88-18-038	392-310-015	NEW	88-06-042
392-196-072	AMD-P	88-15-026	392-310-020	NEW-P	88-03-073
392-196-072	AMD-E	88-15-027	392-310-020	NEW-E	88-04-002
392-196-072	AMD	88-18-038	392-310-020	NEW	88-06-042
392-196-075	AMD-P	88-15-026	392-310-025	NEW-P	88-03-073
392-196-075	AMD-E	88-15-027	392-310-025	NEW-E	88-04-002
392-196-075	AMD	88-18-038	392-310-025	NEW	88-06-042
392-196-080	AMD-P	88-15-026	392-315-005	NEW	88-09-044
392-196-080	AMD-E	88-15-027	392-315-010	NEW	88-09-044
392-196-080	AMD	88-18-038	392-315-015	NEW	88-09-044
392-220-005	NEW-P	88-03-011	392-315-020	NEW	88-09-044
392-220-005	NEW-E	88-03-012	392-315-025	NEW	88-09-044
392-220-010	NEW-P	88-03-011	392-315-030	NEW	88-09-044
392-220-010	NEW-E	88-03-012	392-315-035	NEW	88-09-044
392-220-015	NEW-P	88-03-011	392-315-040	NEW	88-09-044
392-220-015	NEW-E	88-03-012	392-315-045	NEW	88-09-044
392-220-020	NEW-P	88-03-011	392-315-050	NEW	88-09-044
392-220-020	NEW-E	88-03-012	392-315-055	NEW	88-09-044
392-220-025	NEW-P	88-03-011	392-315-060	NEW	88-09-044
392-220-025	NEW-E	88-03-012	392-315-065	NEW	88-09-044
392-220-030	NEW-P	88-03-011	392-315-070	NEW	88-09-044
392-220-030	NEW-E	88-03-012	392-315-075	NEW	88-09-044
392-220-035	NEW-P	88-03-011	392-315-080	NEW	88-09-044

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<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>
419-32-110	REP-P	88-11-049	434-19-075	NEW-P	88-05-054
419-32-110	REP	88-17-032	434-19-075	NEW	88-09-028
419-32-120	REP-P	88-11-049	434-19-077	NEW-P	88-05-054
419-32-120	REP	88-17-032	434-19-077	NEW	88-09-028
419-32-130	REP-P	88-11-049	434-19-078	NEW-P	88-05-054
419-32-130	REP	88-17-032	434-19-078	NEW	88-09-028
419-32-140	REP-P	88-11-049	434-19-080	NEW-P	88-05-054
419-32-140	REP	88-17-032	434-19-080	NEW	88-09-028
419-32-150	REP-P	88-11-049	434-19-081	NEW-P	88-05-054
419-32-150	REP	88-17-032	434-19-081	NEW	88-09-028
419-32-160	REP-P	88-11-049	434-19-082	NEW-P	88-05-054
419-32-160	REP	88-17-032	434-19-082	NEW	88-09-028
419-32-170	REP-P	88-11-049	434-19-083	NEW-P	88-05-054
419-32-170	REP	88-17-032	434-19-083	NEW	88-09-028
419-56-010	NEW	88-02-068	434-19-084	NEW-P	88-05-054
419-56-020	NEW	88-02-068	434-19-084	NEW	88-09-028
419-56-030	NEW	88-02-068	434-19-086	NEW-P	88-05-054
419-56-040	NEW	88-02-068	434-19-086	NEW	88-09-028
419-56-050	NEW	88-02-068	434-19-087	NEW-P	88-05-054
419-56-060	NEW	88-02-068	434-19-087	NEW	88-09-028
419-56-070	NEW	88-02-068	434-19-088	NEW-P	88-05-054
419-56-080	NEW	88-02-068	434-19-088	NEW	88-09-028
419-56-090	NEW	88-02-068	434-19-090	NEW-P	88-05-054
419-60-010	NEW	88-02-067	434-19-090	NEW	88-09-028
419-60-020	NEW	88-02-067	434-19-100	NEW-P	88-05-054
419-60-030	NEW	88-02-067	434-19-100	NEW	88-09-028
419-64-010	NEW-P	88-11-050	434-19-101	NEW-P	88-05-054
419-64-010	NEW-P	88-22-047	434-19-101	NEW	88-09-028
419-64-020	NEW-P	88-11-050	434-19-102	NEW-P	88-05-054
419-64-020	NEW-P	88-22-047	434-19-102	NEW	88-09-028
419-64-030	NEW-P	88-11-050	434-19-105	NEW-P	88-05-054
419-64-030	NEW-P	88-22-047	434-19-110	NEW-P	88-05-054
419-64-040	NEW-P	88-11-050	434-19-110	NEW	88-09-028
419-64-040	NEW-P	88-22-047	434-19-113	NEW-P	88-05-054
419-64-050	NEW-P	88-22-047	434-19-113	NEW	88-09-028
419-64-060	NEW-P	88-22-047	434-19-114	NEW-P	88-05-054
419-64-070	NEW-P	88-22-047	434-19-114	NEW	88-09-028
419-64-080	NEW-P	88-22-047	434-19-115	NEW-P	88-05-054
419-64-090	NEW-P	88-22-047	434-19-115	NEW	88-09-028
434-19-010	NEW-P	88-05-054	434-19-116	NEW-P	88-05-054
434-19-010	NEW	88-09-028	434-19-118	NEW-P	88-05-054
434-19-012	NEW-P	88-05-054	434-19-118	NEW	88-09-028
434-19-012	NEW	88-09-028	434-19-190	NEW-P	88-05-054
434-19-013	NEW-P	88-05-054	434-19-190	NEW	88-09-028
434-19-013	NEW	88-09-028	434-19-191	NEW-P	88-05-054
434-19-014	NEW-P	88-05-054	434-19-191	NEW	88-09-028
434-19-014	NEW	88-09-028	434-19-192	NEW-P	88-05-054
434-19-015	NEW-P	88-05-054	434-19-192	NEW	88-09-028
434-19-015	NEW	88-09-028	434-19-193	NEW-P	88-05-054
434-19-016	NEW-P	88-05-054	434-19-193	NEW	88-09-028
434-19-016	NEW	88-09-028	434-19-194	NEW-P	88-05-054
434-19-017	NEW-P	88-05-054	434-19-194	NEW	88-09-028
434-19-017	NEW	88-09-028	434-19-195	NEW-P	88-05-054
434-19-018	NEW-P	88-05-054	434-19-195	NEW	88-09-028
434-19-018	NEW	88-09-028	434-19-230	NEW-P	88-05-054
434-19-020	NEW-P	88-05-054	434-19-230	NEW	88-09-028
434-19-020	NEW	88-09-028	434-40-005	NEW	88-03-019
434-19-050	NEW-P	88-05-054	434-40-010	NEW	88-03-019
434-19-050	NEW	88-09-028	434-40-020	NEW	88-03-019
434-19-051	NEW-P	88-05-054	434-40-030	NEW	88-03-019
434-19-051	NEW	88-09-028	434-40-040	NEW	88-03-019
434-19-052	NEW-P	88-05-054	434-40-050	NEW	88-03-019
434-19-052	NEW	88-09-028	434-40-060	NEW	88-03-019
434-19-053	NEW-P	88-05-054	434-40-070	NEW	88-03-019
434-19-053	NEW	88-09-028	434-40-080	NEW	88-03-019
434-19-054	NEW-P	88-05-054	434-40-090	NEW	88-03-019
434-19-054	NEW	88-09-028	434-40-100	NEW	88-03-019
434-19-055	NEW-P	88-05-054	434-40-110	NEW	88-03-019
434-19-055	NEW	88-09-028	434-40-120	NEW	88-03-019
434-19-056	NEW-P	88-05-054	434-40-130	NEW	88-03-019
434-19-056	NEW	88-09-028	434-40-140	NEW	88-03-019
434-19-059	NEW-P	88-05-054	434-40-150	NEW	88-03-019
434-19-059	NEW	88-09-028	434-40-160	NEW	88-03-019
434-19-060	NEW-P	88-05-054	434-40-170	NEW	88-03-019
434-19-060	NEW	88-09-028	434-40-180	NEW	88-03-019
434-19-061	NEW	88-09-028	434-40-190	NEW	88-03-019
434-19-065	NEW-P	88-05-054	434-40-200	NEW	88-03-019

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<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>	<b>WAC #</b>	<b>WSR #</b>
458-19-060	NEW-P	88-22-010	458-30-110	REP	88-23-062
458-19-060	NEW-E	88-22-011	458-30-115	REP-P	88-17-118
458-19-065	NEW-P	88-22-010	458-30-115	REP	88-23-062
458-19-065	NEW-E	88-22-011	458-30-120	REP-P	88-17-118
458-19-095	NEW-P	88-22-010	458-30-120	REP	88-23-062
458-19-095	NEW-E	88-22-011	458-30-125	REP-P	88-17-118
458-19-100	NEW-P	88-22-010	458-30-125	REP	88-23-062
458-19-100	NEW-E	88-22-011	458-30-130	REP-P	88-17-118
458-19-110	NEW-P	88-22-010	458-30-130	REP	88-23-062
458-19-110	NEW-E	88-22-011	458-30-135	REP-P	88-17-118
458-20-115	AMD-P	88-17-072	458-30-135	REP	88-23-062
458-20-115	AMD	88-20-014	458-30-140	REP-P	88-17-118
458-20-136	AMD-P	88-17-114	458-30-140	REP	88-23-062
458-20-136	AMD	88-21-014	458-30-145	REP-P	88-17-118
458-20-166	AMD-P	88-17-072	458-30-145	REP	88-23-062
458-20-166	AMD	88-20-014	458-30-146	REP-P	88-17-118
458-20-169	AMD-P	88-17-114	458-30-146	REP	88-23-062
458-20-169	AMD	88-21-014	458-30-150	REP-P	88-17-118
458-20-176	AMD	88-03-055	458-30-150	REP	88-23-062
458-20-193B	AMD-P	88-23-116	458-30-155	REP-P	88-17-118
458-20-214	AMD-P	88-17-072	458-30-155	REP	88-23-062
458-20-214	AMD	88-20-014	458-30-160	REP-P	88-17-118
458-20-221	AMD-P	88-23-116	458-30-160	REP	88-23-062
458-20-240	AMD-P	88-14-005	458-30-200	NEW-P	88-17-118
458-20-240	AMD	88-17-047	458-30-200	NEW	88-23-062
458-20-24001	AMD-P	88-14-005	458-30-205	NEW-P	88-17-118
458-20-24001	AMD	88-17-047	458-30-205	NEW	88-23-062
458-20-24002	AMD-P	88-14-005	458-30-210	NEW-P	88-17-118
458-20-24002	AMD	88-17-047	458-30-210	NEW	88-23-062
458-20-244	AMD-E	88-12-023	458-30-215	NEW-P	88-17-118
458-20-244	AMD-P	88-12-024	458-30-215	NEW	88-23-062
458-20-244	AMD	88-15-066	458-30-220	NEW-P	88-17-118
458-20-252	NEW	88-06-028	458-30-220	NEW	88-23-062
458-20-252	AMD-P	89-01-035	458-30-225	NEW-P	88-17-118
458-20-253	NEW-P	88-22-087	458-30-225	NEW	88-23-062
458-20-253	NEW	89-01-033	458-30-230	NEW-P	88-17-118
458-30-005	REP-P	88-17-118	458-30-230	NEW	88-23-062
458-30-005	REP	88-23-062	458-30-235	NEW-P	88-17-118
458-30-010	REP-P	88-17-118	458-30-235	NEW	88-23-062
458-30-010	REP	88-23-062	458-30-240	NEW-P	88-17-118
458-30-015	REP-P	88-17-118	458-30-240	NEW	88-23-062
458-30-015	REP	88-23-062	458-30-245	NEW-P	88-17-118
458-30-020	REP-P	88-17-118	458-30-245	NEW	88-23-062
458-30-020	REP	88-23-062	458-30-250	NEW-P	88-17-118
458-30-025	REP-P	88-17-118	458-30-250	NEW	88-23-062
458-30-025	REP	88-23-062	458-30-255	NEW-P	88-17-118
458-30-030	REP-P	88-17-118	458-30-255	NEW	88-23-062
458-30-030	REP	88-23-062	458-30-260	NEW-P	88-17-118
458-30-045	REP-P	88-17-118	458-30-260	NEW	88-23-062
458-30-045	REP	88-23-062	458-30-260	AMD-P	89-01-113
458-30-050	REP-P	88-17-118	458-30-261	NEW-P	89-01-114
458-30-050	REP	88-23-062	458-30-265	NEW-P	88-17-118
458-30-055	REP-P	88-17-118	458-30-265	NEW	88-23-062
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458-30-056	REP-P	88-17-118	458-30-270	NEW	88-23-062
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